

Senate Amendment to
House Amendment to
Senate File 452

H-1446

1 Amend the House amendment, S-3218, to Senate File
2 452, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 5, through page 60,
5 line 29, and inserting:

6 <DIVISION I
7 STANDING APPROPRIATIONS AND RELATED MATTERS
8 Section 1. BUDGET PROCESS FOR FISCAL YEAR
9 2014-2015.

10 1. For the budget process applicable to the fiscal
11 year beginning July 1, 2014, on or before October 1,
12 2013, in lieu of the information specified in section
13 8.23, subsection 1, unnumbered paragraph 1, and
14 paragraph "a", all departments and establishments of
15 the government shall transmit to the director of the
16 department of management, on blanks to be furnished
17 by the director, estimates of their expenditure
18 requirements, including every proposed expenditure, for
19 the ensuing fiscal year, together with supporting data
20 and explanations as called for by the director of the
21 department of management after consultation with the
22 legislative services agency.

23 2. The estimates of expenditure requirements
24 shall be in a form specified by the director of
25 the department of management, and the expenditure
26 requirements shall include all proposed expenditures
27 and shall be prioritized by program or the results to
28 be achieved. The estimates shall be accompanied by
29 performance measures for evaluating the effectiveness
30 of the programs or results.

31 Sec. 2. LIMITATIONS OF STANDING APPROPRIATIONS
32 — FY 2013-2014. Notwithstanding the standing
33 appropriations in the following designated sections for
34 the fiscal year beginning July 1, 2013, and ending June
35 30, 2014, the amounts appropriated from the general
36 fund of the state pursuant to these sections for the
37 following designated purposes shall not exceed the
38 following amounts:

39 1. For the work-study program under section 261.85:
40 \$ 500,000

41 The limitation of the appropriation in this
42 subsection 1 shall prevail over any provision in 2013
43 Iowa Acts, House File 604, or any other Act enacted
44 by the general assembly during the 2013 session, that
45 limits the standing appropriation for the fiscal year
46 beginning July 1, 2013, for the work-study program
47 under section 261.85 to zero.

48 2. For payment for nonpublic school transportation
49 under section 285.2:
50 \$ 8,560,931

1 If the total approved claims for reimbursement for
2 nonpublic school pupil transportation exceed the amount
3 appropriated in accordance with this subsection, the
4 department of education shall prorate the amount of
5 each approved claim.

6 3. For the enforcement of chapter 453D relating to
7 tobacco product manufacturers under section 453D.8:
8 \$ 18,416

9 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS

10 — FY 2014-2015. Notwithstanding the standing
11 appropriations in the following designated sections for
12 the fiscal year beginning July 1, 2014, and ending June
13 30, 2015, the amounts appropriated from the general
14 fund of the state pursuant to these sections for the
15 following designated purposes shall not exceed the
16 following amounts:

17 1. For payment for nonpublic school transportation
18 under section 285.2:

19 \$ 8,560,931

20 If the total approved claims for reimbursement for
21 nonpublic school pupil transportation exceed the amount
22 appropriated in accordance with this subsection, the
23 department of education shall prorate the amount of
24 each approved claim.

25 2. For the enforcement of chapter 453D relating to
26 tobacco product manufacturers under section 453D.8:

27 \$ 9,208

28 Sec. 4. INSTRUCTIONAL SUPPORT STATE AID —

29 FY 2013-2014 — FY 2014-2015. In lieu of the
30 appropriation provided in section 257.20, subsection 2,
31 the appropriation for the fiscal years beginning July
32 1, 2013, and July 1, 2014, for paying instructional
33 support state aid under section 257.20 for fiscal years
34 2013-2014 and 2014-2015 is zero.

35 Sec. 5. Section 8.8, Code 2013, is amended to read
36 as follows:

37 **8.8 Special olympics fund — appropriation.**

38 A special olympics fund is created in the office
39 of the treasurer of state under the control of the
40 department of management. There is appropriated
41 annually from the general fund of the state to the
42 special olympics fund ~~fifty~~ one hundred thousand
43 dollars for distribution to one or more organizations
44 which administer special olympics programs benefiting
45 the citizens of Iowa with disabilities.

46 DIVISION II

47 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

48 Sec. 6. INDIVIDUAL DEVELOPMENT ACCOUNT

49 PROGRAM. There is appropriated from the general fund
50 of the state to the department of human rights for the

1 fiscal year beginning July 1, 2013, and ending June 30,
2 2014, the following amounts, or so much thereof as is
3 necessary, for the purposes designated:

4 For deposit in the individual development account
5 state match fund created in section 541A.7 to support
6 the operating organization providing individual
7 development accounts in Iowa:

8 \$ 250,000

9 Sec. 7. RENEWABLE ENERGY TRAINING AND
10 EDUCATION. There is appropriated from the general fund
11 of the state to the department of workforce development
12 for the following fiscal years, the following amounts,
13 or so much thereof as is necessary, to distribute for a
14 public purpose to an entity with a mission of educating
15 workers and the public in the various aspects of
16 renewable energy, its usage, and related occupational
17 opportunities:

18 1. FY 2013-2014

19 \$ 150,000

20 2. FY 2014-2015

21 \$ 150,000

22 Sec. 8. PUBLIC TRANSIT. There is appropriated from
23 the general fund of the state to the department of
24 transportation, for the fiscal year beginning July 1,
25 2012, and ending June 30, 2013, the following amount,
26 or so much thereof as is necessary, for the purposes
27 designated:

28 For distribution to the public transit systems in
29 the state for vehicle purchasing priorities:

30 \$ 5,000,000

31 For purposes of section 8.33, unencumbered or
32 unobligated moneys from the moneys appropriated in this
33 section shall not revert at the close of the fiscal
34 year but shall remain available for expenditure for the
35 purposes designated until the close of the fiscal year
36 that ends two years after the end of the fiscal year
37 for which the appropriation was made.

38 Sec. 9. AIR TRAFFIC CONTROL TOWER. There is
39 appropriated from the general fund of the state to
40 the department of transportation, for the fiscal year
41 beginning July 1, 2013, and ending June 30, 2014, the
42 following amount, or so much thereof as is necessary,
43 for the purposes designated:

44 For the public purpose of defraying costs associated
45 with the operation of a contract air traffic control
46 tower which holds an air agency certificate:

47 \$ 150,000

48 Moneys appropriated by this section shall be
49 distributed on a local match basis to the largest city
50 in a county with a population of more than 92,000 and

1 less than 95,000 as of the last preceding certified
2 federal census.

3 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR — FTE
4 AUTHORIZATION. For purposes of the offices of the
5 governor and lieutenant governor, there is authorized
6 an additional 3.00 full-time equivalent positions above
7 those otherwise authorized pursuant to 2013 Iowa Acts,
8 House File 603, if enacted.

9 Sec. 11. TASK FORCE — DEPARTMENT OF EDUCATION.

10 1. There is established within the department of
11 education a personal financial literacy task force to
12 study the implementation of personal financial literacy
13 requirements as a high school graduation requirement.

14 2. The task force shall consist of eleven voting
15 members designated by the department. At least five
16 voting members shall have a background in education and
17 at least five voting members shall have a background
18 in finance.

19 3. The task force shall include four ex officio,
20 nonvoting members consisting of the following:

21 a. Two state senators, one appointed by the
22 majority leader of the senate and one appointed by the
23 minority leader of the senate from their respective
24 parties.

25 b. Two state representatives, one appointed by the
26 speaker and one appointed by the minority leader of the
27 house of representatives from their respective parties.

28 4. By November 13, 2013, the task force shall
29 file a report with the general assembly regarding the
30 findings and recommendations of the task force.

31 5. Members of the task force shall be reimbursed
32 for mileage expenses incurred while engaged in the
33 performance of official duties and shall receive per
34 diem compensation by the department. Mileage expenses
35 reimbursement and per diem compensation shall not
36 exceed a total of \$10,000 for the task force.

37 Sec. 12. CHRONIC WASTING DISEASE. The department
38 of agriculture and land stewardship and the department
39 of natural resources shall jointly devise a plan for
40 the eradication of chronic wasting disease in the
41 state.

42 Sec. 13. Section 91C.7, subsection 1, Code 2013, is
43 amended to read as follows:

44 1. A contractor who is not registered with the
45 labor commissioner as required by this chapter shall
46 not be awarded a contract to perform work for the state
47 ~~or~~, an agency of the state, or a political subdivision
48 of the state.

49 Sec. 14. Section 99F.11, subsection 3, paragraph
50 d, subparagraph (3), Code 2013, is amended by striking

1 the subparagraph and inserting in lieu thereof the
2 following:

3 (3) One-half of the moneys remaining after the
4 appropriation in subparagraph (1) is appropriated to
5 the economic development authority for distribution
6 equally to the three state tourism regions to
7 develop public-private partnerships to market local
8 attractions.

9 Sec. 15. Section 135C.7, Code 2013, is amended by
10 adding the following new unnumbered paragraph:

11 NEW UNNUMBERED PARAGRAPH. In addition to the
12 license fees listed in this section, there shall be
13 an annual assessment assessed to each licensee in an
14 amount to cover the cost of independent reviewers
15 provided pursuant to section 135C.42. The department
16 shall, in consultation with licensees, establish
17 the assessment amount by rule based on the award of
18 a request for proposals. The assessment shall be
19 retained by the department as a repayment receipt as
20 defined in section 8.2 and used for the purpose of
21 paying the cost of the independent reviewers.

22 Sec. 16. Section 144.26, Code 2013, is amended by
23 adding the following new subsection:

24 NEW SUBSECTION. 5. Upon the activation of an
25 electronic death record system, each person with a
26 duty related to death certificates shall participate
27 in the electronic death record system. A person with
28 a duty related to a death certificate includes but
29 is not limited to a physician as defined in section
30 135.1, a physician assistant, an advanced registered
31 nurse practitioner, a funeral director, and a county
32 recorder.

33 Sec. 17. Section 216A.3, subsection 3, Code 2013,
34 is amended to read as follows:

35 3. A majority of the voting members of the board
36 shall constitute a quorum, and the affirmative vote of
37 two-thirds of the voting members present is necessary
38 for any substantive action taken by the board. The
39 board shall select a chairperson from the voting
40 members of the board. The board shall meet not less
41 than four times a year.

42 Sec. 18. Section 231.64, subsection 1, unnumbered
43 paragraph 1, Code 2013, is amended to read as follows:

44 The aging and disability resource center program
45 shall be administered by the department consistent
46 with the federal Act. The department shall designate
47 ~~participating entities~~ area agencies on aging to
48 establish a coordinated system for providing all of the
49 following:

50 Sec. 19. Section 257.11, subsection 6A, paragraph

1 a, subparagraph (1), as enacted by 2013 Iowa Acts,
2 House File 472, section 1, is amended to read as
3 follows: (1) In order to provide additional funding
4 to increase student opportunities and redirect more
5 resources to student programming for school districts
6 that share operational functions, a supplementary
7 weighting of two hundredths per pupil shall be assigned
8 to pupils enrolled in a district that shares with a
9 political subdivision one or more operational functions
10 of a curriculum director, school administration
11 manager, ~~mental health therapist,~~ social worker,
12 school nurse, school counselor, or school librarian,
13 or one or more operational functions in the areas
14 of superintendent management, business management,
15 human resources, transportation, or operation and
16 maintenance for at least twenty percent of the school
17 year. The additional weighting shall be assigned
18 for each discrete operational function shared. The
19 operational function sharing arrangement does not
20 need to be a newly implemented sharing arrangement to
21 receive supplementary weighting under this subsection.
22 However, to receive supplementary weighting under
23 this subsection for an ongoing operational function
24 sharing arrangement that began before July 1, 2014, the
25 district shall submit information to the department
26 documenting the cost savings directly attributable
27 to the shared operational functions and describe
28 the district's consideration of additional shared
29 operational functions.

30 Sec. 20. Section 261.93, subsection 2, paragraph
31 b, subparagraph (4), Code 2013, is amended to read as
32 follows:

33 (4) Is the child of a fire fighter or police
34 officer included under section 97B.49B, who was killed
35 in the line of duty as determined by the Iowa public
36 employees' retirement system in accordance with section
37 97B.52, subsection 2.

38 Sec. 21. Section 306D.4, Code 2013, is amended to
39 read as follows:

40 **306D.4 Scenic highway advertising.**

41 1. The state department of transportation shall
42 have the authority to adopt rules to control the
43 erection of new advertising devices on a highway
44 designated as a scenic highway or scenic byway in order
45 to comply with federal requirements concerning the
46 implementation of a scenic byways program.

47 2. Notwithstanding subsection 1, if an advertising
48 device was lawfully erected along an interstate
49 highway within the corporate limits of a city prior to
50 designation of the highway as a scenic byway, and the

1 advertising device is subsequently displaced due to
2 the reconstruction, improvement, or relocation of the
3 highway, the advertising device may be erected at the
4 same location or at a location as close to the original
5 location as is practicable that is visible from the
6 main-traveled way, and shall not be considered a new
7 advertising device, if all of the following apply:

8 a. The location is in compliance with the
9 requirements of chapter 306C applicable to interstate
10 highways that are not part of a designated scenic
11 byway.

12 b. The location is approved by the governing body
13 of the city.

14 Sec. 22. Section 692A.113, subsection 3, Code 2013,
15 is amended by adding the following new paragraph:

16 NEW PARAGRAPH. e. Operate, manage, be employed by,
17 or act as a contractor or volunteer at a business that
18 operates a motor vehicle primarily marketing, from or
19 near the motor vehicle, the sale and dispensing of ice
20 cream or other food products to minors.

21 Sec. 23. 2013 Iowa Acts, Senate File 446, if
22 enacted, is amended by adding the following section:

23 SEC. 11A. NEW SECTION. CHRONIC CARE
24 CONSORTIUM. Of the funds appropriated in this Act from
25 the general fund of the state to the department of
26 human services for the medical assistance program for
27 the fiscal year beginning July 1, 2013, and ending June
28 30, 2014, \$200,000 shall be used for the Iowa chronic
29 care consortium pursuant to 2003 Iowa Acts, chapter
30 112, section 12, as amended by 2003 Iowa Acts, chapter
31 179, section 166 and 167.

32 Sec. 24. CONDITIONAL EFFECTIVE DATE. The section
33 of this division of this Act amending section 99F.11,
34 takes effect only if 2013 Iowa Acts, House File 620,
35 striking section 99F.11, subsection 3, paragraph d,
36 subparagraph (3), is enacted.

37 Sec. 25. EFFECTIVE UPON ENACTMENT. The following
38 provision or provisions of this division of this Act,
39 being deemed of immediate importance, take effect upon
40 enactment:

41 1. The section of this Act appropriating moneys to
42 the department of transportation for public transit
43 purposes.

44 DIVISION III

45 CORRECTIVE PROVISIONS

46 Sec. 26. Section 2.12, unnumbered paragraph 4, Code
47 2013, as amended by 2013 Iowa Acts, House File 185,
48 section 1, is amended to read as follows:

49 There is appropriated out of any funds in the state
50 treasury not otherwise appropriated such sums as

1 may be necessary for the fiscal year budgets of the
2 legislative services agency and the ombudsman office
3 of ombudsman for salaries, support, maintenance, and
4 miscellaneous purposes to carry out their statutory
5 responsibilities. The legislative services agency
6 and the ombudsman office of ombudsman shall submit
7 their proposed budgets to the legislative council not
8 later than September 1 of each year. The legislative
9 council shall review and approve the proposed budgets
10 not later than December 1 of each year. The budget
11 approved by the legislative council for each of its
12 statutory legislative agencies shall be transmitted by
13 the legislative council to the department of management
14 on or before December 1 of each year for the fiscal
15 year beginning July 1 of the following year. The
16 department of management shall submit the approved
17 budgets received from the legislative council to the
18 governor for inclusion in the governor's proposed
19 budget for the succeeding fiscal year. The approved
20 budgets shall also be submitted to the chairpersons of
21 the committees on appropriations. The committees on
22 appropriations may allocate from the funds appropriated
23 by this section the funds contained in the approved
24 budgets, or such other amounts as specified, pursuant
25 to a concurrent resolution to be approved by both
26 houses of the general assembly. The director of
27 the department of administrative services shall
28 issue warrants for salaries, support, maintenance,
29 and miscellaneous purposes upon requisition by the
30 administrative head of each statutory legislative
31 agency. If the legislative council elects to change
32 the approved budget for a legislative agency prior to
33 July 1, the legislative council shall transmit the
34 amount of the budget revision to the department of
35 management prior to July 1 of the fiscal year, however,
36 if the general assembly approved the budget it cannot
37 be changed except pursuant to a concurrent resolution
38 approved by the general assembly.

39 Sec. 27. Section 2.42, subsection 14, Code 2013, as
40 amended by 2013 Iowa Acts, House File 185, section 2,
41 is amended to read as follows:

42 14. To hear and act upon appeals of aggrieved
43 employees of the legislative services agency and the
44 office of the ombudsman pursuant to rules of procedure
45 established by the council.

46 Sec. 28. Section 2C.3, subsection 2, Code 2013, as
47 enacted by 2013 Iowa Acts, House File 185, section 4,
48 is amended to read as follows:

49 2. The ombudsman shall employ and supervise all
50 employees under the ombudsman's direction in such

1 positions and at such salaries as shall be authorized
2 by the legislative council. The legislative council
3 shall hear and act upon appeals of aggrieved employees
4 of the office of the ombudsman.

5 Sec. 29. Section 2C.9, subsection 6, Code 2013, as
6 amended by 2013 Iowa Acts, House File 185, section 10,
7 is amended to read as follows:

8 6. Establish rules relating to the operation,
9 organization, and procedure of the office of the
10 ombudsman. The rules are exempt from chapter 17A and
11 shall be published in the Iowa administrative code.

12 Sec. 30. Section 2C.11, subsection 1, unnumbered
13 paragraph 1, Code 2013, as amended by 2013 Iowa Acts,
14 House File 185, section 12, is amended to read as
15 follows:

16 An appropriate subject for investigation by the
17 office of the ombudsman is an administrative action
18 that might be:

19 Sec. 31. Section 2C.18, Code 2013, as amended by
20 2013 Iowa Acts, House File 185, section 20, is amended
21 to read as follows:

22 **2C.18 Report to general assembly.**

23 The ombudsman shall by April 1 of each year submit
24 an economically designed and reproduced report to
25 the general assembly and to the governor concerning
26 the exercise of the ~~ombudsman~~ ombudsman's functions
27 during the preceding calendar year. In discussing
28 matters with which the ombudsman has been concerned,
29 the ombudsman shall not identify specific persons if
30 to do so would cause needless hardship. If the annual
31 report criticizes a named agency or official, it shall
32 also include unedited replies made by the agency or
33 official to the criticism, unless excused by the agency
34 or official affected.

35 Sec. 32. Section 8B.21, subsection 5, paragraph e,
36 if enacted by 2013 Iowa Acts, Senate File 396, section
37 3, is amended to read as follows:

38 e. The department of public defense shall not be
39 required to obtain any information technology services
40 pursuant to this chapter for the department of public
41 defense that ~~is~~ are provided by the office pursuant
42 to this chapter without the consent of the adjutant
43 general.

44 Sec. 33. Section 23A.4, subsection 3, Code 2013, as
45 enacted by 2013 Iowa Acts, House File 185, section 27,
46 is amended to read as follows:

47 3. Chapter 17A and this section are the exclusive
48 remedy for violations of this chapter. However, the
49 office of the ombudsman may review violations of this
50 chapter and make recommendations as provided in chapter

1 2C.

2 Sec. 34. Section 29.1, Code 2013, as amended by
3 2013 Iowa Acts, House File 307, section 9, is amended
4 to read as follows:

5 **29.1 Department of public defense.**

6 The department of public defense is composed of the
7 office of the adjutant general and the military forces
8 of the state of Iowa. The adjutant general is the
9 director of the department of public defense and shall
10 perform all functions, responsibilities, powers, and
11 duties ~~over~~ concerning the military forces of the state
12 of Iowa as provided in the laws of the state.

13 Sec. 35. Section 35A.13, subsection 6A, paragraph
14 b, subparagraph (1), if enacted by 2013 Iowa Acts,
15 House File 613, section 2, is amended to read as
16 follows:

17 (1) The commission may provide educational
18 assistance funds to any child who has lived in the
19 state of Iowa for two years preceding application for
20 state educational assistance, and who is the child
21 of a person who died prior to September 11, 2001,
22 during active federal military service while serving
23 in the armed forces or during active federal military
24 service in the Iowa national guard or other military
25 component of the United States, to defray the expenses
26 of tuition, matriculation, laboratory and similar
27 fees, books and supplies, board, lodging, and any
28 other reasonably necessary expense for the child or
29 children incident to attendance in this state at an
30 educational or training institution of college grade,
31 or in a business or vocational training school with
32 standards approved by the department. The commission
33 shall not expend more than six hundred dollars per year
34 for educational assistance for any one child under this
35 paragraph "b".

36 Sec. 36. Section 70A.28, subsection 6, Code 2013,
37 as amended by 2013 Iowa Acts, House File 185, section
38 28, is amended to read as follows:

39 6. Subsection 2 may also be enforced by an employee
40 through an administrative action pursuant to the
41 requirements of this subsection if the employee is not
42 a merit system employee or an employee covered by a
43 collective bargaining agreement. An employee eligible
44 to pursue an administrative action pursuant to this
45 subsection who is discharged, suspended, demoted, or
46 otherwise receives a reduction in pay and who believes
47 the adverse employment action was taken as a result
48 of the employee's disclosure of information that
49 was authorized pursuant to subsection 2, may file an
50 appeal of the adverse employment action with the public

1 employment relations board within thirty calendar days
2 following the later of the effective date of the action
3 or the date a finding is issued to the employee by the
4 office of the ombudsman pursuant to section 2C.11A.
5 The findings issued by the ombudsman may be introduced
6 as evidence before the public employment relations
7 board. The employee has the right to a hearing closed
8 to the public, but may request a public hearing. The
9 hearing shall otherwise be conducted in accordance with
10 the rules of the public employment relations board and
11 the Iowa administrative procedure Act, chapter 17A. If
12 the public employment relations board finds that the
13 action taken in regard to the employee was in violation
14 of subsection 2, the employee may be reinstated without
15 loss of pay or benefits for the elapsed period, or
16 the public employment relations board may provide
17 other appropriate remedies. Decisions by the public
18 employment relations board constitute final agency
19 action.

20 Sec. 37. Section 105.10, subsection 3, Code 2013,
21 as amended by 2013 Iowa Acts, Senate File 427, section
22 10, is amended to read as follows:

23 3. An individual holding a master mechanical
24 license shall not be required to get an
25 HVAC-refrigeration, sheet metal, or hydronic license in
26 order to design, install, or repair the work defined
27 in this chapter as mechanical, HVAC-refrigeration,
28 sheet metal, or hydronic work. An individual holding
29 a ~~journey~~ journeyperson mechanical license shall
30 not be required to get an HVAC-refrigeration, sheet
31 metal, or hydronic license in order to install and
32 repair the work defined in this chapter as mechanical,
33 HVAC-refrigeration, sheet metal, or hydronic work. An
34 individual holding a master or ~~journey~~ journeyperson
35 mechanical license shall also not be required to obtain
36 a special, restricted license that is designated as a
37 sublicense of the mechanical, HVAC-refrigeration, sheet
38 metal, or hydronic licenses.

39 Sec. 38. Section 105.32, as enacted by 2013 Iowa
40 Acts, Senate File 427, section 32, Code 2013, is
41 amended to read as follows:

42 **105.32 Transition provisions.**

43 A licensee whose license expires between June 30,
44 2014, and July 1, 2017, may voluntarily renew ~~their~~
45 the license early so they may have the license has an
46 expiration date of June 30, 2017. This voluntary early
47 renewal may happen at any time on or after July 1,
48 2014. The department shall promulgate rules that allow
49 for this one-time early renewal process, including fees
50 and continuing education requirements.

1 Sec. 39. Section 126.11, subsection 3, paragraph
2 b, Code 2013, as amended by 2013 Iowa Acts, House File
3 417, section 26, is amended to read as follows:
4 b. A drug dispensed by filling or refilling a
5 written, electronic, facsimile, or oral prescription
6 of a practitioner licensed by law to administer the
7 drug is exempt from section 126.10, except section
8 126.10, subsection 1, paragraph "a", section 126.10,
9 subsection 1, paragraph "i", subparagraphs (2) and (3),
10 and section 126.10, subsection 1, paragraphs "k" and
11 "l", and the packaging requirements of section 126.10,
12 subsection 1, paragraphs "g", "h", and "p", if the
13 drug bears a label containing the name and address of
14 the dispenser, the date of the prescription or of its
15 filling, the name of the prescriber, and, if stated
16 in the prescription, the name of the patient, and the
17 directions for use and cautionary statements, if any,
18 contained in the prescription. This exemption does
19 not apply to a drug dispensed in the course of the
20 conduct of the business of dispensing drugs pursuant to
21 diagnosis by mail, or to a drug dispensed in violation
22 of paragraph "a" of this subsection.
23 Sec. 40. Section 249A.43, subsection 3, as enacted
24 by 2013 Iowa Acts, Senate File 357, section 7, is
25 amended to read as follows:
26 3. An affidavit of service of a notice of entry
27 of judgment shall be made by first class mail at the
28 address where the debtor was served with the notice
29 of overpayment. Service is completed upon mailing as
30 specified in this ~~paragraph~~ subsection.
31 Sec. 41. Section 252D.17, subsection 1, paragraph
32 m, as enacted by 2013 Iowa Acts, House File 417,
33 section 55, Code 2013, is amended to read as follows:
34 ~~m.~~ 2. The department shall establish criteria and
35 a phased-in schedule to require, no later than June
36 30, 2015, payors of income to electronically transmit
37 the amounts withheld under an income withholding
38 order. The department shall assist payors of income in
39 complying with the required electronic transmission,
40 and shall adopt rules setting forth procedures
41 for use in electronic transmission of funds, and
42 exemption from use of electronic transmission taking
43 into consideration any undue hardship electronic
44 transmission creates for payors of income.
45 Sec. 42. Section 263B.3, Code 2013, as amended by
46 2013 Iowa Acts, House File 417, section 63, is amended
47 to read as follows:
48 **263B.3 Agreements with federal departments.**
49 The state archaeologist is authorized to enter into
50 agreements and cooperative efforts with the federal

1 highway administrator, the United States departments
2 of commerce, interior, agriculture, and defense,
3 and any other federal or state agencies concerned
4 with archaeological salvage or the preservation of
5 antiquities.

6 Sec. 43. Section 321.463, subsection 12A,
7 paragraphs a and c, as enacted by 2013 Iowa Acts, House
8 File 14, section 1, are amended to read as follows:

9 a. A person operating a vehicle or combination of
10 vehicles equipped with a retractable axle may raise the
11 axle when necessary to negotiate a turn, provided that
12 the retractable axle is lowered within one thousand
13 feet following completion of the turn. This paragraph
14 does not apply to a vehicle or combination of vehicles
15 operated on an interstate highway, including a ramp to
16 or from an interstate highway, or on a bridge.

17 c. This subsection does not prohibit the operation
18 of a vehicle or combination of vehicles equipped with
19 a retractable axle ~~from operating~~ with the retractable
20 axle raised when the vehicle or combination of vehicles
21 is in compliance with the weight limitations of this
22 section with the retractable axle raised.

23 Sec. 44. Section 321E.9A, subsection 1, Code 2013,
24 as amended by 2013 Iowa Acts, Senate File 355, section
25 7, is amended to read as follows:

26 1. Vehicles with indivisible loads having an
27 overall length not to exceed one hundred twenty feet,
28 an overall width not to exceed sixteen feet, and a
29 height not to exceed fifteen feet five inches may
30 be moved on highways specified by the ~~permitting~~
31 permit-issuing authority, provided the gross weight on
32 any one axle shall not exceed the maximum prescribed
33 in section 321.463 and the total gross weight is not
34 greater than one hundred fifty-six thousand pounds.

35 Sec. 45. Section 327F.39, subsection 6, paragraph
36 b, if enacted by 2013 Iowa Acts, Senate File 340,
37 section 4, is amended to read as follows:

38 b. A violation of subsection 4A or rules adopted
39 pursuant to subsection 4A by a railroad worker
40 transportation company or a railroad ~~corporation~~
41 company is punishable as a schedule "one" penalty under
42 section 327C.5.

43 Sec. 46. Section 418.5, subsection 1, Code 2013, as
44 amended by 2013 Iowa Acts, House File 307, section 51,
45 is amended to read as follows:

46 1. The flood mitigation board is established
47 consisting of nine voting members and four ex officio,
48 nonvoting members, and is located for administrative
49 purposes within the ~~division~~ department. The director
50 of the department shall provide office space, staff

1 assistance, and necessary supplies and equipment for
2 the board. The director shall budget funds to pay the
3 necessary expenses of the board. In performing its
4 functions, the board is performing a public function
5 on behalf of the state and is a public instrumentality
6 of the state.

7 Sec. 47. Section 426A.11, subsection 1, Code 2013,
8 as amended by 2013 Iowa Acts, House File 417, section
9 97, is amended to read as follows:

10 1. The property, not to exceed two thousand seven
11 hundred seventy-eight dollars in taxable value of any
12 veteran, as defined in section 35.1, of ~~the~~ World War
13 I.

14 Sec. 48. Section 437B.2, subsection 8, paragraph a,
15 subparagraph (2), if enacted by 2013 Iowa Acts, Senate
16 File 451, section 11, is amended to read as follows:

17 (2) A water treatment plant where the acquisition
18 cost of all interests acquired exceeds ten million
19 dollars. For purposes of this ~~paragraph~~ subparagraph,
20 "*water treatment plant*" means buildings and equipment
21 used in that portion of the potable water supply system
22 which in some way alters the physical, chemical, or
23 bacteriological quality of the water.

24 Sec. 49. Section 437B.2, subsection 10, if enacted
25 by 2013 Iowa Acts, Senate File 451, section 11, is
26 amended to read as follows:

27 10. "*Operating property*" means all property owned
28 by or leased to a water utility, not otherwise taxed
29 separately, which is necessary to and without which the
30 ~~company~~ water utility could not perform the activities
31 of a water utility.

32 Sec. 50. Section 437B.10, subsection 2, paragraph
33 b, if enacted by 2013 Iowa Acts, Senate File 451,
34 section 19, is amended to read as follows:

35 b. Local taxing authority employees are deemed to
36 be officers and employees of the state for purposes
37 ~~this of~~ of this subsection.

38 Sec. 51. Section 455B.275, subsection 3A,
39 paragraphs a and b, if enacted by 2013 Iowa Acts, House
40 File 541, section 1, are amended to read as follows:

41 a. The person reconstructing the dam is only
42 required to possess the flooding easements or ownership
43 which ~~were~~ was held prior to the reconstruction as long
44 as the former normal pool elevation is not exceeded and
45 the spillway capacity is increased by at least fifty
46 percent.

47 b. Flooding easements or ownership ~~are~~ is only
48 required to the top of the reconstructed spillway
49 elevation.

50 Sec. 52. Section 490.863, subsection 3, paragraph

1 a, as enacted by 2013 Iowa Acts, House File 469,
2 section 43, is amended to read as follows:
3 a. "Holder" means and "held by" refers to shares
4 held by both a record shareholder, as defined in
5 section 490.1301, subsection 7, and a beneficial
6 shareholder, as defined in section 490.1301, subsection
7 2.

8 Sec. 53. Section 490.1302, subsection 2, paragraph
9 d, Code 2013, as amended by 2013 Iowa Acts, House File
10 469, section 53, is amended to read as follows:

11 d. Paragraph "a", shall not be applicable and
12 appraisal rights shall be available pursuant to
13 subsection 1 for the holders of any class or series
14 of shares where the corporate action is an interested
15 transaction.

16 Sec. 54. Section 522.6, subsection 2, if enacted by
17 2013 Iowa Acts, Senate File 189, section 6, is amended
18 to read as follows:

19 2. If an insurer qualifies for exemption from the
20 requirements of this chapter pursuant to paragraph "a"
21 of subsection 1, but the insurance group of which the
22 insurer is a member does not qualify for exemption
23 pursuant to paragraph "b" of subsection 1, then the
24 own risk and solvency assessment summary report that
25 is required pursuant to section ~~521H.5~~ 522.5 shall
26 include information concerning every insurer in the
27 insurance group. This requirement may be satisfied by
28 the submission of more than one summary report for any
29 combination of insurers in the insurance group provided
30 that the combination of reports submitted includes
31 every insurer in the insurance group.

32 Sec. 55. Section 533.405, subsection 4A, paragraph
33 b, subparagraphs (1) and (2), as enacted by 2013 Iowa
34 Acts, Senate File 183, section 8, are amended to read
35 as follows:

36 (1) State credit unions with assets in excess of \$5
37 five million dollars as of the month ending immediately
38 prior to the date of the conclusion of the vote by the
39 membership approving the dissolution shall publish
40 the notice once a week for two successive weeks in a
41 newspaper of general circulation in each county in
42 which the state credit union maintains an office or
43 branch for the transaction of business.

44 (2) State credit unions with assets of \$5 five
45 million dollars or less as of the month ending
46 immediately prior to the date of the conclusion of
47 the vote by the membership approving the dissolution
48 shall publish the notice once in a newspaper of general
49 circulation in each county in which the state credit
50 union maintains an office or branch.

1 Sec. 56. Section 543C.2, subsection 1, paragraph j,
2 if enacted by 2013 Iowa Acts, House File 556, section
3 167, is amended to read as follows:

4 j. The subdivider, if a corporation, must register
5 to do business in the state of Iowa as a foreign
6 corporation with the secretary of state and furnish a
7 copy of the certificate of authority to do business
8 in the state of Iowa. If not a corporation, the
9 subdivider must comply with the provisions of chapter
10 547, by filing a proper trade name with the Polk
11 county recorder. The provisions of this subsection
12 paragraph shall also apply to any person, partnership,
13 firm, company, corporation, or association, other than
14 the subdivider, which is engaged by or through the
15 subdivider for the purpose of advertising or selling
16 the land involved in the filing.

17 Sec. 57. Section 556.2, subsection 5, paragraph a,
18 unnumbered paragraph 1, as enacted by 2013 Iowa Acts,
19 House File 417, section 174, is amended to read as
20 follows:

21 A banking organization or financial organization
22 shall send to the owner of each account, to which none
23 of the actions specified in subsection 2 1, paragraphs
24 "a" through "e" or subsection 2, paragraphs "a" through
25 "e" have occurred during the preceding three calendar
26 years, a notice by certified mail stating in substance
27 the following:

28 Sec. 58. Section 716.7, subsection 1, as amended
29 by 2013 Iowa Acts, House File 556, section 234, if
30 enacted, is amended to read as follows:

31 1. For purposes of this section:

32 a. "Property" shall include any land, dwelling,
33 building, conveyance, vehicle, or other temporary or
34 permanent structure whether publicly or privately
35 owned.

36 b. "Public utility" is a public utility as defined
37 in section 476.1 or an electric transmission line as
38 provided in chapter 478.

39 ~~b. c.~~ "Public utility property" means any land,
40 dwelling, building, conveyance, vehicle, or other
41 temporary or permanent structure owned, leased, or
42 operated by a public utility and that is completely
43 enclosed by a physical barrier of any kind. ~~For~~
44 ~~the purposes of this section, a "public utility" is~~
45 ~~a public utility as defined in section 476.1 or an~~
46 ~~electric transmission line as provided in chapter 478.~~

47 ~~c. d.~~ "Railway corporation" means a corporation,
48 company, or person owning, leasing, or operating any
49 railroad in whole or in part within this state.

50 ~~d. e.~~ "Railway property" means all tangible real

1 and personal property owned, leased, or operated
2 by a railway corporation with the exception of any
3 administrative building or offices of the railway
4 corporation.

5 Sec. 59. Section 724.2, subsection 1, paragraph i,
6 if enacted by 2013 Iowa Acts, House File 556, section
7 206, is amended to read as follows:

8 *i.* A nonresident who possesses an offensive weapon
9 which is a curio or relic firearm under the federal
10 Firearms Act, 18 U.S.C. ch. 44, solely for use in
11 official functions in this state of a historical
12 reenactment organization of which the person is a
13 member, if the offensive weapon is legally possessed
14 by the person in the person's state of residence and
15 the offensive weapon is at all times while in this
16 state rendered incapable of firing live ammunition. A
17 nonresident who possesses an offensive weapon under
18 this subsection paragraph while in this state shall
19 not have in the person's possession live ammunition.
20 The offensive weapon may, however, be adapted for the
21 firing of blank ammunition.

22 Sec. 60. 2013 Iowa Acts, House File 556, section
23 257, subsection 3, if enacted, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 12. The Code editor is directed
26 to change any terminology that references a web site,
27 websites, the internet, and internet site, or internet
28 sites in any Act enacted during the 2013 regular
29 session of the Eighty-fifth General Assembly in the
30 same manner as that terminology is changed in this
31 section of this Act.

32 Sec. 61. 2013 Iowa Acts, House File 607, section
33 29, subsection 3, if enacted, is amended to read as
34 follows:

35 3. The department of agriculture and land
36 stewardship or the office of attorney general acting
37 on behalf of the agricultural development authority in
38 an administrative or judicial proceeding shall not be
39 affected as a result of this Act. Any ~~statue~~ statute
40 of limitation shall apply to the parties as if this Act
41 had not been enacted.

42 Sec. 62. 2013 Iowa Acts, House File 607, section
43 34, if enacted, is amended to read as follows:

44 SEC. 34. ADMINISTRATION OF ONGOING PROGRAMS. The
45 Iowa finance authority shall complete the
46 administration of ongoing programs of the agricultural
47 development authority as provided in chapter 175, to
48 the extent that the administration of those programs
49 are is in progress on the effective date of this
50 division of this Act. The Iowa finance authority shall

1 assume all rights and obligations of the agricultural
2 development authority to the extent that moneys have
3 been committed, obligations incurred, or rights accrued
4 prior to the effective date of this division of this
5 Act. Moneys owing due to the rights and obligations of
6 the agricultural development authority and assumed by
7 the Iowa finance authority shall be paid as directed by
8 the Iowa finance authority.

9 Sec. 63. 2013 Iowa Acts, House File 607, section
10 35, subsection 1, if enacted, is amended to read as
11 follows:

12 1. The assets and liabilities of the former
13 Iowa rural rehabilitation corporation assumed by
14 the agricultural development authority pursuant to
15 section 175.28 shall be transferred to the Iowa finance
16 authority on the effective date of this division of
17 this Act. On such effective date, the Iowa finance
18 authority shall be the successor in interest to
19 the agreements in effect between the United States
20 government and the agricultural development authority
21 on behalf of this state.

22 Sec. 64. 2013 Iowa Acts, Senate File 427, section
23 35, is amended to read as follows:

24 SEC. 35 ADMINISTRATIVE RULES. The department
25 of public health shall adopt all initial rules,
26 and amendments to existing rules, necessary for the
27 implementation of this Act.

28 Sec. 65. REPEAL. 2013 Iowa Acts, House File 417,
29 section 34, and 2013 Iowa Acts, House File 556, section
30 27, if enacted, are repealed.

31 Sec. 66. REPEAL. 2013 Iowa Acts, House File 469,
32 sections 83 and 84, are repealed.

33 Sec. 67. CONTINGENT REPEAL. If 2013 Iowa Acts,
34 House File 575, section 12, is enacted, 2013 Iowa Acts,
35 House File 417, section 93, is repealed.

36 DIVISION IV

37 PUBLIC RETIREMENT SYSTEMS

38 Sec. 68. JUDICIAL RETIREMENT FUND. There is
39 appropriated from the general fund of the state to the
40 judicial retirement fund described in section 602.9104
41 for the following fiscal years, the following amounts:

42 1. FY 2013-2014	
43	\$ 5,000,000
44 2. FY 2014-2015	
45	\$ 5,000,000

46 Sec. 69. FIRE AND POLICE RETIREMENT FUND. There
47 is appropriated from the general fund of the state to
48 the fire and police retirement fund created in section
49 411.8 for the following fiscal years, the following
50 amounts:

1 1. FY 2012-2013
2 \$ 9,600,000
3 2. FY 2013-2014
4 \$ 5,000,000
5 3. FY 2014-2015
6 \$ 5,000,000

7 Sec. 70. Section 97A.11A, subsection 1, Code 2013,
8 is amended to read as follows:

9 1. Beginning with the fiscal year commencing July
10 1, ~~2013~~ 2012, and ending June 30 of the fiscal year
11 during which the board determines that the system's
12 funded ratio of assets to liabilities is at least
13 eighty-five percent, there is appropriated from the
14 general fund of the state for each fiscal year to the
15 retirement fund described in section 97A.8, an amount
16 equal to five million dollars.

17 Sec. 71. EFFECTIVE UPON ENACTMENT. The section of
18 this division of this Act amending section 97A.11A,
19 being deemed of immediate importance, takes effect upon
20 enactment.

21 Sec. 72. EFFECTIVE UPON ENACTMENT. The section
22 of this division of this Act appropriating moneys to
23 the fire and police retirement fund, being deemed of
24 immediate importance, takes effect upon enactment.

25 DIVISION V

26 COUNTY PROJECTS

27 Sec. 73. Section 331.441, subsection 2, paragraph
28 b, subparagraph (5), unnumbered paragraph 1, Code 2013,
29 is amended to read as follows:

30 Public buildings, including the site or grounds
31 of, and the erection, equipment, remodeling, or
32 reconstruction of, and additions or extensions to the
33 buildings, and including the provision and maintenance
34 of juvenile detention or shelter care facilities, when
35 the ~~cost~~ principal amount of the bonds does not exceed
36 the following limits:

37 Sec. 74. Section 331.441, subsection 2, paragraph
38 c, subparagraph (9), Code 2013, is amended to read as
39 follows:

40 (9) Public buildings, including the site or
41 grounds of, the erection, equipment, remodeling, or
42 reconstruction of, and additions or extensions to the
43 buildings, and including the provision and maintenance
44 of juvenile detention or shelter care facilities,
45 when the ~~cost~~ principal amount of the bonds exceeds
46 the limits stated in subsection 2, paragraph "b",
47 subparagraph (5).

48 DIVISION VI

49 SUPPLEMENTARY WEIGHTING FOR LIMITED ENGLISH 50 PROFICIENT STUDENTS

1 Sec. 75. Section 257.31, subsection 5, paragraph j,
2 Code 2013, is amended to read as follows:

3 *j.* Unusual need to continue providing a program or
4 other special assistance to non-English speaking pupils
5 after the expiration of the ~~four-year~~ seven-year period
6 specified in section 280.4.

7 Sec. 76. Section 280.4, subsection 3, Code 2013, is
8 amended to read as follows:

9 3. *a.* In order to provide funds for the excess
10 costs of instruction of limited English proficient
11 students specified in paragraph "b" above the costs
12 of instruction of pupils in a regular curriculum,
13 students identified as limited English proficient shall
14 be assigned an additional weighting of twenty-two
15 hundredths, and that weighting shall be included
16 in the weighted enrollment of the school district
17 of residence for a period not exceeding ~~four~~ seven
18 years. However, the school budget review committee may
19 grant supplemental aid or modified allowable growth
20 to a school district to continue funding a program
21 for students after the expiration of the ~~four-year~~
22 seven-year period.

23 *b.* For students first determined to be limited
24 English proficient for a budget year beginning on or
25 after July 1, 2009, the additional weighting provided
26 under paragraph "a" shall be included in the weighted
27 enrollment of the school district of residence for a
28 period not exceeding seven years.

29 Sec. 77. LIMITED ENGLISH PROFICIENT WEIGHTING
30 ADJUSTMENT. For the fiscal year beginning July
31 1, 2013, and ending June 30, 2014, there shall be
32 allocated to the department of education from the
33 amount appropriated pursuant to section 257.16,
34 subsection 1, based upon the increase from four to
35 seven years in the availability of supplementary
36 weighting for instruction of limited English proficient
37 students pursuant to section 280.4, an amount to
38 be determined by the department of management in
39 consultation with the legislative services agency. The
40 funds shall be used to adjust the weighted enrollment
41 of a school district with students identified as
42 limited English proficient on a prorated basis.

43 Sec. 78. EFFECTIVE UPON ENACTMENT. This division
44 of this Act, being deemed of immediate importance,
45 takes effect upon enactment.

46 DIVISION VII

47 NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING

48 Sec. 79. NEW SECTION. 136A.5A Newborn critical
49 congenital heart disease screening.

50 1. Each newborn born in this state shall receive

1 a critical congenital heart disease screening by
2 pulse oximetry or other means as determined by rule,
3 in conjunction with the metabolic screening required
4 pursuant to section 136A.5.
5 2. An attending health care provider shall ensure
6 that every newborn under the provider's care receives
7 the critical congenital heart disease screening.
8 3. This section does not apply if a parent objects
9 to the screening. If a parent objects to the screening
10 of a newborn, the attending health care provider shall
11 document the refusal in the newborn's medical record
12 and shall obtain a written refusal from the parent and
13 report the refusal to the department.
14 4. Notwithstanding any provision to the contrary,
15 the results of each newborn's critical congenital
16 heart disease screening shall only be reported in a
17 manner consistent with the reporting of the results
18 of metabolic screenings pursuant to section 136A.5
19 if funding is available for implementation of the
20 reporting requirement.
21 5. This section shall be administered in accordance
22 with rules adopted pursuant to section 136A.8.
23 Sec. 80. NEWBORN CRITICAL CONGENITAL HEART DISEASE
24 SCREENING. Notwithstanding any provision to the
25 contrary relating to the newborn screening policy
26 pursuant to 641 IAC 4.3(1), critical congenital heart
27 disease screening shall be included in the state's
28 newborn screening panel as included in the recommended
29 uniform screening panel as approved by the United
30 States secretary of health and human services. The
31 center for congenital and inherited disorders advisory
32 committee shall make recommendations regarding
33 implementation of the screening and the center for
34 congenital and inherited disorders shall adopt rules
35 as necessary to implement the screening. However,
36 reporting of the results of each newborn's critical
37 congenital heart disease screening shall not be
38 required unless funding is available for implementation
39 of the reporting requirement.

40 DIVISION VIII

41 RIGHT TO CURE — CLOSED CREDIT CARD ACCOUNTS

42 Sec. 81. Section 537.5110, subsection 4, paragraph
43 c, Code 2013, is amended to read as follows:

44 c. Until the expiration of the minimum applicable
45 period after the notice is given, the consumer may
46 cure the default by tendering either the amount of all
47 unpaid installments due at the time of the tender,
48 without acceleration, plus any unpaid delinquency or
49 deferral charges, or the amount stated in the notice
50 of right to cure, whichever is less, or by tendering

1 any performance necessary to cure any default other
2 than nonpayment of amounts due, which is described
3 in the notice of right to cure. The act of curing a
4 default restores to the consumer the consumer's rights
5 under the agreement as though no default had occurred,
6 except as provided in subsection 3. However, where the
7 obligation in default is a credit card account that
8 has been closed, the act of curing a default does not
9 restore to the consumer the consumer's rights under the
10 agreement as though no default had occurred.

11 Sec. 82. Section 537.5111, Code 2013, is amended by
12 adding the following new subsection:

13 NEW SUBSECTION. 4A. If the consumer credit
14 transaction is a credit card account that has been
15 closed, the notice shall conform to the requirements
16 of subsection 2, and a notice in substantially the
17 form specified in that subsection complies with this
18 subsection except that the statement relating to
19 continuation of the contract upon correction of the
20 default as though the consumer did not default shall
21 not be contained in the notice.

22 DIVISION IX

23 PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE

24 Sec. 83. PUBLIC SAFETY TRAINING AND FACILITIES TASK
25 FORCE.

26 1. A public safety training and facilities task
27 force is established. The department of public safety
28 shall provide administrative support for the task
29 force.

30 2. The task force shall consist of the following
31 members:

32 a. One member appointed by the Iowa state sheriffs'
33 and deputies' association.

34 b. One member appointed by the Iowa police chiefs
35 association.

36 c. One member who is a fire fighter appointed by
37 the Iowa professional fire fighters association.

38 d. One member who is the administrator of the Iowa
39 fire service training bureau or the administrator's
40 designee.

41 e. One member who is a representative of the fire
42 service who is not a fire chief appointed by the Iowa
43 firefighters association.

44 f. The director of the Iowa law enforcement academy
45 or the director's designee.

46 g. The commissioner of public safety or the
47 training coordinator of the department of public
48 safety, as designated by the commissioner.

49 h. The state fire marshal or the state fire
50 marshal's designee.

1 i. One member appointed by the Iowa state police
2 association.
3 j. One member who is a fire chief appointed by the
4 Iowa fire chiefs association.
5 k. One member appointed by the Iowa emergency
6 medical services association.
7 l. One member appointed by the Iowa emergency
8 management association.
9 m. One member who is a fire chief appointed by the
10 Iowa association of professional fire chiefs.
11 n. One member who is a member of the office
12 of motor vehicle enforcement of the department of
13 transportation appointed by the director of the
14 department of transportation.
15 o. Four members of the general assembly serving
16 as ex officio, nonvoting members, one representative
17 to be appointed by the speaker of the house of
18 representatives, one representative to be appointed by
19 the minority leader of the house of representatives,
20 one senator to be appointed by the majority leader of
21 the senate, and one senator to be appointed by the
22 minority leader of the senate.
23 3. The voting members of the task force shall
24 select one chairperson and one vice chairperson. The
25 vice chairperson shall preside in the absence of
26 the chairperson. Section 69.16A shall apply to the
27 appointed members of the task force.
28 4. It is the intent of the general assembly in
29 establishing this task force that the task force
30 develop a coordinated plan amongst all public safety
31 disciplines that would oversee the construction of a
32 consolidated fire and police public safety training
33 facility, provide for the establishment of a governance
34 board for the public safety disciplines and the
35 consolidated facility, and to establish a consistent
36 and steady funding mechanism to defray public safety
37 training costs on an ongoing basis.
38 5. The task force shall seek and consider input
39 from all interested stakeholders and members of the
40 public and shall include an emphasis on receiving input
41 from fire service, law enforcement, and emergency
42 medical services personnel. The task force shall
43 consider and develop strategies relating to public
44 safety training facility governance with the goal of
45 all public safety disciplines being represented. Each
46 public safety discipline shall advise the task force by
47 developing individual training policies as determined
48 by the discipline's governing bodies. The task force
49 shall also develop a proposal for a joint public safety
50 training facility, a budget for construction and future

1 operation of the facility, financing options, including
2 possible public-private partnerships, for construction
3 and operation of the facility, and potential locations
4 for the facility that are centrally located in this
5 state.

6 6. a. The task force shall provide interim reports
7 to the general assembly by December 31 of each year
8 concerning the activities of the task force and shall
9 submit its final report, including its findings and
10 recommendations, to the general assembly by December
11 31, 2016.

12 b. The final report shall include but not be
13 limited to recommendations concerning the following:

14 (1) Consolidation of public safety governance
15 within a single board and the membership of the board.
16 Board duties would include overseeing the construction
17 and maintenance of a consolidated fire and police
18 public safety training facility.

19 (2) Development of a consolidated fire and police
20 public safety training facility, including possible
21 locations, building recommendations, and financing
22 options.

23 (3) Any other recommendations relating to public
24 safety training and facilities requirements.

25 Sec. 84. PUBLIC SAFETY TRAINING AND FACILITIES TASK
26 FORCE — ADMINISTRATIVE SUPPORT. There is appropriated
27 from the general fund of the state to the department
28 of public safety for the fiscal year beginning July 1,
29 2012, and ending June 30, 2013, the following amount,
30 or so much thereof as is necessary, to be used for the
31 purposes designated:

32 For providing administrative support for the public
33 safety training and facilities task force as enacted
34 in this Act:

35 \$ 50,000

36 Notwithstanding section 8.33, moneys appropriated in
37 this section that remain unencumbered or unobligated
38 at the close of the fiscal year shall not revert but
39 shall remain available for expenditure for the purposes
40 designated until the close of the fiscal year that
41 begins July 1, 2016.

42 Sec. 85. EFFECTIVE UPON ENACTMENT. This division
43 of this Act, being deemed of immediate importance,
44 takes effect upon enactment.

45 DIVISION X

46 CIGARETTE FIRE SAFETY STANDARD FUND

47 Sec. 86. Section 101B.5, subsection 5, Code 2013,
48 is amended to read as follows:

49 5. For each cigarette listed in a certification, a
50 manufacturer shall pay a fee of one hundred dollars to

1 the department. The department shall deposit all fees
2 received pursuant to this subsection with the treasurer
3 of state for credit to the general fund of the state.

4 Sec. 87. Section 101B.8, Code 2013, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 10. The department shall deposit
7 any moneys received from civil penalties assessed
8 pursuant to this section with the treasurer of state
9 for credit to the general fund of the state.

10 Sec. 88. Section 101B.9, Code 2013, is amended to
11 read as follows:

12 **101B.9 Cigarette fire safety standard fund.**

13 A cigarette fire safety standard fund is created as
14 a special fund in the state treasury under the control
15 of the department of public safety. The fund shall
16 consist of all moneys recovered from the assessment
17 of civil penalties or certification fees under this
18 chapter. ~~The moneys in the fund shall, in~~ In addition
19 to any moneys made available for such purpose, ~~be~~
20 ~~available, subject to appropriation, moneys in the fund~~
21 are appropriated to the department of public safety for
22 the purpose of fire safety and prevention programs,
23 including for entry level fire fighter training,
24 equipment, and operations.

25 Sec. 89. REPEAL. Section 101B.9, Code 2013, is
26 repealed.

27 Sec. 90. CIGARETTE FIRE SAFETY STANDARD FUND.
28 Notwithstanding section 8.33, or any other provision of
29 law to the contrary, the unencumbered or unobligated
30 balance of the cigarette fire safety standard fund
31 at the close of the fiscal year beginning July 1,
32 2012, shall not revert but shall remain available for
33 expenditure for purposes of the regional emergency
34 response training centers, on an equal basis, until the
35 close of the succeeding fiscal year.

36 Sec. 91. EFFECTIVE UPON ENACTMENT. Except for
37 the section of this division of this Act repealing
38 section 101B.9 which shall take effect July 1, 2013,
39 this division of this Act, being deemed of immediate
40 importance, takes effect upon enactment.

41 Sec. 92. RETROACTIVE APPLICABILITY. The following
42 provision or provisions of this division of this Act
43 apply retroactively to July 1, 2007:

44 1. The section amending section 101B.9.

45 DIVISION XI

46 IGNITION INTERLOCK

47 Sec. 93. Section 321J.20, subsections 1 and 2, Code
48 2013, are amended to read as follows:

49 1. a. The department may, on application, issue
50 a temporary restricted license to a person whose

1 noncommercial driver's license is revoked under this
2 chapter allowing the person to drive to and from the
3 person's home and specified places at specified times
4 which can be verified by the department and which are
5 required by ~~the~~ any of the following:

6 (1) The person's full-time or part-time
7 employment.

8 (2) The person's continuing health care or the
9 continuing health care of another who is dependent upon
10 the person.

11 (3) The person's continuing education while
12 enrolled in an educational institution on a part-time
13 or full-time basis and while pursuing a course of study
14 leading to a diploma, degree, or other certification of
15 successful educational completion.

16 (4) The person's substance abuse treatment, and to
17 attend groups whose purpose is to eliminate or reduce
18 alcohol or other drug use.

19 (5) The person's court-ordered community service
20 responsibilities, and appointments.

21 (6) Appointments with the person's parole or
22 probation officer.

23 (7) Transport of the person's dependent minor child
24 to and from school when public school transportation is
25 not available for the child.

26 (8) Transport of the person's dependent minor child
27 to and from child care when necessary for the person's
28 full-time or part-time employment.

29 b. The department may also issue a temporary
30 restricted license under this subsection that allows
31 the person to drive for work purposes within the scope
32 of the person's full-time or part-time employment.
33 Any vehicle operated within the scope of the person's
34 full-time or part-time employment must be equipped
35 at all times with an ignition interlock device of a
36 type approved by the commissioner of public safety,
37 notwithstanding any provision of section 321J.4,
38 321J.9, or 321J.12 to the contrary.

39 c. The department may issue a temporary restricted
40 license under this subsection only if the person's
41 driver's license has not been revoked previously under
42 section 321J.4, 321J.9, or 321J.12 and if any of the
43 following apply:

44 (1) The person's noncommercial driver's license is
45 revoked under section 321J.4 and the minimum period of
46 ineligibility for issuance of a temporary restricted
47 license has expired. This subsection shall not apply
48 to a revocation ordered under section 321J.4 resulting
49 from a plea or verdict of guilty of a violation of
50 section 321J.2 that involved a death.

1 (2) The person's noncommercial driver's license is
2 revoked under section 321J.9 and the person has entered
3 a plea of guilty on a charge of a violation of section
4 321J.2 which arose from the same set of circumstances
5 which resulted in the person's driver's license
6 revocation under section 321J.9 and the guilty plea
7 is not withdrawn at the time of or after application
8 for the temporary restricted license, and the minimum
9 period of ineligibility for issuance of a temporary
10 restricted license has expired.

11 (3) The person's noncommercial driver's license is
12 revoked under section 321J.12, and the minimum period
13 of ineligibility for issuance of a temporary restricted
14 license has expired.

15 ~~b.~~ d. A temporary restricted license may
16 be issued under this subsection if the person's
17 noncommercial driver's license is revoked for two years
18 under section 321J.4, subsection 2, or section 321J.9,
19 subsection 1, paragraph "b", and the first three
20 hundred sixty-five days of the revocation have expired.

21 ~~e.~~ e. This subsection does not apply to a person
22 whose license was revoked under section 321J.2A or
23 section 321J.4, subsection 4 or 6, or to a person whose
24 license is suspended or revoked for another reason.

25 ~~d.~~ f. Following the applicable minimum period
26 of ineligibility, a temporary restricted license
27 under this subsection shall not be issued until the
28 applicant installs an ignition interlock device of a
29 type approved by the commissioner of public safety on
30 all motor vehicles owned or operated by the applicant
31 in accordance with section 321J.2, 321J.4, 321J.9,
32 or 321J.12, or this subsection. Installation of an
33 ignition interlock device under this subsection shall
34 be required for the period of time for which the
35 temporary restricted license is issued and for such
36 additional period of time following reinstatement as is
37 required under section 321J.17, subsection 3.

38 2. a. Notwithstanding section 321.560, the
39 department may, on application, and upon the expiration
40 of the minimum period of ineligibility for a temporary
41 restricted license provided for under section
42 321.560, 321J.4, 321J.9, or 321J.12, issue a temporary
43 restricted license to a person whose noncommercial
44 driver's license has either been revoked under this
45 chapter, or revoked or suspended under chapter 321
46 solely for violations of this chapter, or who has been
47 determined to be a habitual offender under chapter
48 321 based solely on violations of this chapter or on
49 violations listed in section 321.560, subsection 1,
50 paragraph "b", and who is not eligible for a temporary

1 restricted license under subsection 1. However, the
2 department may not issue a temporary restricted license
3 under this subsection for a violation of section
4 321J.2A or to a person under the age of twenty-one
5 whose license is revoked under section 321J.4, 321J.9,
6 or 321J.12. A

7 (1) If the person has no more than one previous
8 revocation under this chapter, a temporary restricted
9 license issued under this subsection may allow the
10 person to drive to and from the person's home and
11 specified places at specified times which can be
12 verified by the department and which are required by
13 any of the following:

14 (a) The person's full-time or part-time employment.

15 (b) The person's continuing health care or the
16 continuing health care of another who is dependent upon
17 the person.

18 (c) The person's continuing education while
19 enrolled in an educational institution on a part-time
20 or full-time basis and while pursuing a course of study
21 leading to a diploma, degree, or other certification of
22 successful educational completion.

23 (d) The person's substance abuse treatment and to
24 attend groups whose purpose is to eliminate or reduce
25 alcohol or other drug use.

26 (e) The person's court-ordered community service
27 responsibilities.

28 (f) Appointments with the person's parole or
29 probation officer.

30 (g) Transport of the person's dependent minor child
31 to and from child care when necessary for the person's
32 full-time or part-time employment.

33 (2) If the person has more than one previous
34 revocation under this chapter, a temporary restricted
35 license issued under this subsection may allow the
36 person to drive to and from the person's home and
37 specified places at specified times which can be
38 verified by the department and which are required by
39 the any of the following:

40 (a) The person's full-time or part-time
41 employment.

42 (b) The person's continuing education while
43 enrolled in an educational institution on a part-time
44 or full-time basis and while pursuing a course of study
45 leading to a diploma, degree, or other certification of
46 successful educational completion, ~~or~~.

47 (c) The person's substance abuse treatment and to
48 attend groups whose purpose is to eliminate or reduce
49 alcohol or other drug use.

50 DIVISION XII

NOTARY PUBLIC

Sec. 94. Section 9B.15, subsection 3, unnumbered paragraph 1, Code 2013, is amended to read as follows:

A certificate of a notarial act is sufficient if it meets the requirements of subsections 1 and 2 and ~~all~~ any of the following apply:

Sec. 95. Section 9B.17, subsection 1, paragraph a, Code 2013, is amended to read as follows:

a. Include the notary public's name, the words "Notarial Seal" and "Iowa", the words "Commission Number" followed by a number assigned to the notary public by the secretary of state, the words "My Commission Expires" followed either by the date that the notary public's term would ordinarily expire as provided in section 9B.21 or a blank line on which the notary public shall indicate the date of expiration, if any, of the notary public's commission, as required by and in satisfaction of section 9B.15, subsection 1, paragraph "e", and other information required by the secretary of state.

Sec. 96. Section 321I.31, subsection 3, Code 2013, is amended to read as follows:

3. An owner of an all-terrain vehicle shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application shall be signed and sworn to before a ~~notary public~~ notarial officer as provided in chapter 9B or other person who administers oaths, or shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the all-terrain vehicle or the fair market value if no sale immediately preceded the transfer and any additional information the department requires. If the application is made for an all-terrain vehicle last previously registered or titled in another state or foreign country, the application shall contain this information and any other information the department requires.

Sec. 97. Section 462A.77, subsection 4, Code 2013, is amended to read as follows:

4. Every owner of a vessel subject to titling under this chapter shall apply to the county recorder for issuance of a certificate of title for the vessel within thirty days after acquisition. The application shall be on forms the department prescribes, and

1 accompanied by the required fee. The application shall
2 be signed and sworn to before a ~~notary public~~ notarial
3 officer as provided in chapter 9B or other person who
4 administers oaths, or shall include a certification
5 signed in writing containing substantially the
6 representation that statements made are true and
7 correct to the best of the applicant's knowledge,
8 information, and belief, under penalty of perjury.
9 The application shall contain the date of sale and
10 gross price of the vessel or the fair market value
11 if no sale immediately preceded the transfer, and any
12 additional information the department requires. If
13 the application is made for a vessel last previously
14 registered or titled in another state or foreign
15 country, it shall contain this information and any
16 other information the department requires.

17 Sec. 98. Section 554.3505, subsection 2, Code 2013,
18 is amended to read as follows:

19 2. A protest is a certificate of dishonor made by a
20 United States consul or vice consul, or a ~~notary public~~
21 notarial officer as provided in chapter 9B or other
22 person authorized to administer oaths by the law of
23 the place where dishonor occurs. It may be made upon
24 information satisfactory to that person. The protest
25 must identify the instrument and certify either that
26 presentment has been made or, if not made, the reason
27 why it was not made, and that the instrument has been
28 dishonored by nonacceptance or nonpayment. The protest
29 may also certify that notice of dishonor has been given
30 to some or all parties.

31 Sec. 99. Section 589.4, Code 2013, is amended to
32 read as follows:

33 **589.4 Acknowledgments by corporation officers.**

34 The acknowledgments of all deeds, mortgages, or
35 other instruments in writing taken or certified more
36 than ten years earlier, which instruments have been
37 recorded in the recorder's office of any county of this
38 state, including acknowledgments of instruments made by
39 a corporation, or to which the corporation was a party,
40 or under which the corporation was a beneficiary,
41 and which have been acknowledged before or certified
42 by a ~~notary public~~ notarial officer as provided in
43 chapter 9B who was at the time of the acknowledgment or
44 certifying a stockholder or officer in the corporation,
45 are legal and valid official acts of the notaries
46 public, and entitle the instruments to be recorded,
47 anything in the laws of the state of Iowa in regard to
48 acknowledgments to the contrary notwithstanding. This
49 section does not affect pending litigation.

50 Sec. 100. Section 589.5, Code 2013, is amended to

1 read as follows:

2 **589.5 Acknowledgments by stockholders.**

3 All deeds and conveyances of lands within this
4 state executed more than ten years earlier, but
5 which have been acknowledged or proved according
6 to and in compliance with the laws of this state
7 before a ~~notary public~~ notarial officer as provided
8 in chapter 9B or other official authorized by law
9 to take acknowledgments who was, at the time of
10 the acknowledgment, an officer or stockholder of a
11 corporation interested in the deed or conveyance, or
12 otherwise interested in the deeds or conveyances, are,
13 if otherwise valid, valid in law as though acknowledged
14 or proved before an officer not interested in the
15 deeds or conveyances; and if recorded more than ten
16 years earlier, in the respective counties in which
17 the lands are, the records are valid in law as though
18 the deeds and conveyances, so acknowledged or proved
19 and recorded, had, prior to being recorded, been
20 acknowledged or proved before an officer having no
21 interest in the deeds or conveyances.

22 Sec. 101. Section 622.86, Code 2013, is amended to
23 read as follows:

24 **622.86 Foreign affidavits.**

25 Those taken out of the state before any judge or
26 clerk of a court of record, or before a ~~notary public~~
27 notarial officer as provided in chapter 9B, or a
28 commissioner appointed by the governor of this state to
29 take acknowledgment of deeds in the state where such
30 affidavit is taken, are of the same credibility as if
31 taken within the state.

32 DIVISION XIII

33 CORN PROMOTION BOARD

34 Sec. 102. Section 185C.1, Code 2013, is amended by
35 adding the following new subsection:

36 NEW SUBSECTION. 4A. "*Director*" means a district
37 elected director or a board elected director as
38 provided in section 185C.6.

39 Sec. 103. Section 185C.1, subsection 5, Code 2013,
40 is amended to read as follows:

41 5. "*District*" means an official crop reporting
42 district formed by the United States department of
43 agriculture for use on January 1, 2013, and set out in
44 the annual farm census published in that year by the
45 Iowa department of agriculture and land stewardship.

46 Sec. 104. Section 185C.3, Code 2013, is amended to
47 read as follows:

48 **185C.3 Establishment of corn promotion board.**

49 If a majority of the producers voting in the
50 referendum election approve the passage of the

1 promotional order, an Iowa corn promotion board shall
2 be established. ~~The board shall consist of one~~
3 ~~director elected from each district in the state,~~
4 ~~except that a district producing more than an average~~
5 ~~of one hundred million bushels of corn in the three~~
6 ~~previous marketing years is entitled to two directors.~~
7 Sec. 105. Section 185C.6, Code 2013, is amended by
8 striking the section and inserting in lieu thereof the
9 following:

10 **185C.6 Number and election of directors.**

11 The Iowa corn promotion board established pursuant
12 to section 185C.3 shall be composed of directors
13 elected as provided in this chapter. The directors
14 shall include all of the following:

15 1. Nine district elected directors. Each such
16 director shall be elected from a district as provided
17 in section 185C.5, this section, and sections 185C.7
18 and 185C.8. A candidate receiving the highest number
19 of votes in each district shall be elected to represent
20 that district.

21 2. Three board elected directors. Each such
22 director shall be elected by the board. The candidate
23 receiving the highest number of votes by the board
24 shall be elected to represent the state on at-large
25 basis.

26 Sec. 106. Section 185C.7, Code 2013, is amended to
27 read as follows:

28 **185C.7 Terms of directors.**

29 1. Director terms A director's term of office shall
30 be for three years ~~and no.~~ A district elected director
31 ~~of the board shall not serve for more than three~~
32 complete consecutive terms. A board elected director
33 shall not serve for more than one complete term of
34 office. A district elected director who is elected
35 as board elected director shall not serve more than a
36 total of four terms of office, regardless of whether
37 any of the terms of office are complete or consecutive.

38 2. If the board is reconstituted pursuant to
39 section 185C.8, the terms of the directors shall be
40 controlled by this section. However, the initial terms
41 of the reconstituted board shall be staggered. To the
42 extent practicable, one-third of the elected directors
43 shall serve an initial term of one year, one-third of
44 the elected directors shall serve an initial term of
45 two years, and one-third of the elected directors shall
46 serve an initial term of three years. The initial
47 terms of board elected directors shall be determined
48 by board members directors drawing lots. The board
49 ~~elected under this paragraph shall not contain two~~
50 ~~directors from the same district serving the same term.~~

1 Sec. 107. Section 185C.8, Code 2013, is amended to
2 read as follows:

3 **185C.8 Elections Administration of elections for**
4 **directors.**

5 1. The Iowa corn promotion board shall administer
6 elections for district elected directors of the board
7 with the assistance of the secretary. Prior to the
8 expiration of a director's term of office, the board
9 shall appoint a nominating committee for the district
10 represented by that director. The nominating committee
11 shall consist of five producers who are residents of
12 the district from which a director must be elected.
13 The nominating committee shall nominate two resident
14 producers as candidates for each director position for
15 which an election is to be held. Additional candidates
16 may be nominated by a written petition of twenty-five
17 producers. Procedures governing the time and place of
18 filing shall be adopted and publicized by the board.

19 Following recommencement of the promotional order,
20 or termination of the promotional order's suspension
21 as provided in section 185C.24, the secretary shall
22 order the reconstitution of the board. An election of
23 district elected directors shall be held within thirty
24 days from the date of the order. The secretary shall
25 call for, provide for notice of, conduct, and certify
26 the results of the election in a manner consistent
27 with section 185C.5 through 185C.7. Directors shall
28 serve terms as provided in section 185C.7. Rules
29 or procedures adopted by the board and in effect at
30 the date of suspension shall continue in effect upon
31 reconstitution of the board. The Iowa corn growers
32 association may nominate two resident producers as
33 candidates for each director position. Additional
34 candidates may be nominated by a written petition of at
35 least twenty-five producers.

36 2. The Iowa corn promotion board shall administer
37 elections for board elected directors. Prior to
38 the expiration of a board elected director's term of
39 office, the board may appoint a nominating committee.
40 In order to be eligible for nomination and election,
41 a candidate must have previously served on the board
42 as an elected director. An officer of the board shall
43 certify the results of the election.

44 Sec. 108. Section 185C.10, subsection 3, Code 2013,
45 is amended by striking the subsection.

46 Sec. 109. Section 185C.14, subsection 3, Code 2013,
47 is amended to read as follows:

48 3. The board shall meet at least ~~once every~~ three
49 ~~months~~ times each year, and at such other times as
50 deemed necessary by the board.

1 Sec. 110. Section 185C.21, subsection 2, Code 2013,
2 is amended to read as follows:

3 2. Upon request of the board, the secretary shall
4 call a special referendum for producers to vote
5 on whether to authorize an increase in the state
6 assessment above one-quarter of one cent per bushel,
7 notwithstanding subsection 1. The special referendum
8 shall be conducted as provided in this chapter for
9 referendum elections. However, the special referendum
10 shall not affect the existence or length of the
11 promotional order in effect. If a majority of the
12 producers voting in the special referendum approve
13 the increase, the board may increase the assessment
14 to the amount approved in the special referendum.
15 However, a state assessment shall not exceed ~~one cent~~
16 per a scheduled amount assessed on each bushel of corn
17 marketed in this state determined as follows:

18 a. Until September 1, 2013, one cent.

19 b. For each marketing year of the period beginning
20 September 1, 2013, and ending August 31, 2018, two
21 cents.

22 c. For each marketing year of the period beginning
23 September 1, 2018, and ending August 31, 2023, three
24 cents.

25 d. For each marketing year of the period beginning
26 September 1, 2023, and ending August 31, 2028, four
27 cents.

28 e. For each marketing year beginning on and after
29 September 1, 2028, five cents.

30 Sec. 111. Section 185C.27, Code 2013, is amended to
31 read as follows:

32 **185C.27 Refund of assessment.**

33 A producer who has sold corn and had a state
34 assessment deducted from the sale price, by application
35 in writing to the board, may secure a refund in the
36 amount deducted. The refund shall be payable only
37 when the application shall have been made to the board
38 within sixty days after the deduction. Application
39 forms shall be given by the board to each first
40 purchaser when requested and the first purchaser
41 shall make the applications available to any producer.
42 Each application for refund by a producer shall have
43 attached to the application proof of the assessment
44 deducted. The proof of assessment may be in the
45 form of a duplicate or certified copy of the purchase
46 invoice by the first purchaser. The board shall have
47 thirty business days from the date the application
48 for refund is received to remit the refund to the
49 producer. The board may provide for refunds of a
50 federal assessment as provided by federal law. Unless

1 inconsistent with federal law, refunds shall be made
2 under section 185C.26.

3 Sec. 112. IMPLEMENTATION. The Iowa corn promotion
4 board established pursuant to section 185C.3 shall
5 implement this division of this Act.

6 1. During the implementation period all of the
7 following shall apply:

8 a. The board shall provide for staggered terms
9 of directors in the same manner as required for the
10 initial terms of office of a reconstituted board
11 pursuant to section 185C.7. However, the board is not
12 required to draw lots as otherwise provided in that
13 section.

14 b. The board is not required to fill a vacancy for
15 an unexpired term as required in section 185C.9.

16 c. The board may reduce the number of years of a
17 director's term in order to comply with this section.

18 2. The board shall complete implementation of this
19 Act not later than July 1, 2014.

20 Sec. 113. EFFECTIVE UPON ENACTMENT. This division
21 of this Act, being deemed of immediate importance,
22 takes effect upon enactment.

23 DIVISION XIV

24 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

25 Sec. 114. Section 312.3, subsection 2, Code 2013,
26 is amended by adding the following new paragraph:

27 NEW PARAGRAPH. *d.* For purposes of apportioning
28 among the cities of the state the percentage of
29 the road use tax fund to be credited to the street
30 construction fund of the cities for each month
31 beginning March 2011 and ending March 2021 pursuant to
32 this subsection, the population of each city shall be
33 determined by the greater of the population of the city
34 as of the last preceding certified federal census or
35 as of the April 1, 2010, population estimates base as
36 determined by the United States census bureau.

37 Sec. 115. STREET CONSTRUCTION FUND —
38 APPROPRIATION.

39 1. In a written application to the treasurer of
40 state submitted by October 1, 2013, a city may request
41 an additional distribution of moneys to be credited
42 to the street construction fund of the city equal to
43 that additional amount, calculated by the treasurer,
44 that the city would have received if the funds were
45 apportioned based upon the population of the city as
46 determined by section 312.3, subsection 2, paragraph
47 "d", as enacted in this division of this Act, for the
48 months prior to the effective date of this division of
49 this Act.

50 2. Upon determination by the treasurer of state

1 that an additional amount should be credited to a city
2 as provided by this section, there is appropriated from
3 the general fund of the state to the department of
4 transportation, for the fiscal year beginning July 1,
5 2013, and ending June 30, 2014, an amount sufficient to
6 pay the additional amount which shall be distributed to
7 the city for deposit in the street construction fund
8 of the city.

9 Sec. 116. EFFECTIVE UPON ENACTMENT. This division
10 of this Act, being deemed of immediate importance,
11 takes effect upon enactment.

12 Sec. 117. RETROACTIVE APPLICABILITY. This division
13 of this Act applies retroactively to March 2011.

14 DIVISION XV

15 IOWACARE

16 MEDICAL ASSISTANCE — IOWACARE TRANSFER ALLOCATION

17 Sec. 118. 2011 Iowa Acts, chapter 129, section 122,
18 subsection 13, as amended by 2012 Iowa Acts, chapter
19 1133, section 10, is amended to read as follows:

20 13. Of the funds appropriated in this section, up
21 to ~~\$8,684,329~~ \$16,004,422 may be transferred to the
22 IowaCare account created in section 249J.24.

23 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA
24 HOSPITALS AND CLINICS

25 Sec. 119. 2011 Iowa Acts, chapter 129, section 146,
26 subsection 1, paragraph c, as amended by 2012 Iowa
27 Acts, chapter 1133, section 40, is amended to read as
28 follows:

29 c. The university of Iowa hospitals and clinics
30 shall certify public expenditures in an amount equal to
31 provide the nonfederal share on total expenditures not
32 to exceed ~~\$32,000,000~~ \$26,000,000.

33 Sec. 120. 2011 Iowa Acts, chapter 129, section 146,
34 subsection 2, unnumbered paragraph 2, as amended by
35 2012 Iowa Acts, chapter 1133, section 41, is amended
36 to read as follows:

37 For salaries, support, maintenance, equipment, and
38 miscellaneous purposes, for the provision of medical
39 and surgical treatment of indigent patients, for
40 provision of services to members of the expansion
41 population pursuant to chapter 249J, and for medical
42 education:

43 \$ ~~45,654,133~~
44 52,569,199

45 Sec. 121. 2011 Iowa Acts, chapter 129, section 146,
46 subsection 3, is amended to read as follows:

47 3. There is appropriated from the IowaCare account
48 created in section 249J.24, to the state board
49 of regents for distribution to university of Iowa
50 physicians for the fiscal year beginning July 1, 2012,

1 and ending June 30, 2013, the following amount, or
2 so much thereof as is necessary to be used for the
3 purposes designated:

4 For salaries, support, maintenance, equipment, and
5 miscellaneous purposes for the provision of medical and
6 surgical treatment of indigent patients, for provision
7 of services to members of the expansion population
8 pursuant to chapter 249J, and for medical education:

9 \$ ~~16,277,753~~
10 19,806,365

11 Notwithstanding any provision of law to the
12 contrary, the amount appropriated in this subsection
13 shall be distributed based on claims submitted,
14 adjudicated, and paid by the Iowa Medicaid enterprise.
15 Once the entire amount appropriated in this subsection
16 has been distributed, claims shall continue to
17 be submitted and adjudicated by the Iowa Medicaid
18 enterprise; however, no payment shall be made based
19 upon such claims.

20 Sec. 122. 2011 Iowa Acts, chapter 129, section
21 146, subsection 6, unnumbered paragraphs 1 and 2, are
22 amended to read as follows:

23 There is appropriated from the IowaCare account
24 created in section 249J.24 to the department of human
25 services for the fiscal year beginning July 1, 2012,
26 and ending June 30, 2013, the following amount, or
27 so much thereof as is necessary to be used for the
28 purposes designated:

29 For a care coordination pool to pay the expansion
30 population providers consisting of the university of
31 Iowa hospitals and clinics, the publicly owned acute
32 care teaching hospital as specified in section 249J.7,
33 and current medical assistance program providers that
34 are not expansion population network providers pursuant
35 to section 249J.7, for services covered by the full
36 benefit medical assistance program but not under the
37 IowaCare program pursuant to section 249J.6, that are
38 provided to expansion population members:

39 \$ ~~1,500,000~~
40 2,500,000

41 Sec. 123. 2011 Iowa Acts, chapter 129, section 146,
42 is amended by adding the following new subsection:

43 NEW SUBSECTION. 8. For the fiscal year beginning
44 July 1, 2012, and ending June 30, 2013, the state board
45 of regents shall transfer \$1,275,577 to the IowaCare
46 account created in section 249J.24, to provide the
47 nonfederal share for distribution to university of Iowa
48 physicians under the IowaCare program.

49 Sec. 124. EFFECTIVE UPON ENACTMENT. This division
50 of this Act, being deemed of immediate importance,

1 takes effect upon enactment.

2 DIVISION XVI
3 HISTORIC PRESERVATION AND CULTURAL AND ENTERTAINMENT
4 DISTRICT TAX CREDITS

5 Sec. 125. Section 404A.1, subsection 2, paragraph
6 e, Code 2013, is amended to read as follows:

7 e. "*Substantial rehabilitation*" means qualified
8 rehabilitation costs that meet or exceed the following:

9 (1) In the case of commercial property, costs
10 totaling at least fifty thousand dollars or fifty
11 percent of the assessed value of the property,
12 excluding the land, prior to the rehabilitation,
13 whichever is less.

14 (2) In the case of ~~residential property or barns~~
15 other than commercial property, costs totaling at least
16 twenty-five thousand dollars or twenty-five percent
17 of the assessed value, excluding the land, prior to
18 rehabilitation, whichever is less.

19 Sec. 126. Section 404A.3, subsection 3, paragraph
20 b, Code 2013, is amended to read as follows:

21 b. The eligible property shall be placed in service
22 within either sixty months of the date on which the
23 project application was approved under this section,
24 or seventy-two months of the date on which the project
25 application was approved under this section if more
26 than fifty percent of the qualified rehabilitation
27 costs are incurred within sixty months of the date on
28 which the project application was approved under this
29 section.

30 Sec. 127. Section 404A.4, subsection 2, paragraph
31 d, Code 2013, is amended to read as follows:

32 d. For the fiscal year beginning July 1, 2012,
33 ~~and for each fiscal year thereafter,~~ the office shall
34 reserve not more than forty-five million dollars worth
35 of tax credits for any one taxable year.

36 Sec. 128. Section 404A.4, subsection 2, Code 2013,
37 is amended by adding the following new paragraphs:

38 NEW PARAGRAPH. e. For a fiscal year beginning
39 on or after July 1, 2013, but before July 1, 2016,
40 the office shall reserve not more than sixty million
41 dollars worth of tax credits for any one taxable year.

42 NEW PARAGRAPH. f. For the fiscal year beginning
43 July 1, 2016, and for each fiscal year thereafter,
44 the office shall reserve not more than fifty million
45 dollars worth of tax credits for any one taxable year.

46 Sec. 129. Section 404A.4, subsection 4, paragraph
47 a, Code 2013, is amended to read as follows:

48 a. The total amount of tax credits that may be
49 approved for a fiscal year prior to the fiscal year
50 beginning July 1, 2012, under this chapter shall not

1 exceed fifty million dollars. The total amount of
2 tax credits that may be approved for a the fiscal
3 year beginning on ~~or after~~ July 1, 2012, shall not
4 exceed forty-five million dollars. The total amount
5 of tax credits that may be approved for a fiscal year
6 beginning on or after July 1, 2013, but before July
7 1, 2016, shall not exceed sixty million dollars. The
8 total amount of tax credits that may be approved for a
9 fiscal year beginning on or after July 1, 2016, shall
10 not exceed fifty million dollars.

11 Sec. 130. Section 404A.4, subsection 4, paragraph
12 b, subparagraph (1), Code 2013, is amended to read as
13 follows:

14 (1) Ten percent of the dollar amount of tax credits
15 shall be allocated for purposes of new projects with
16 final qualified rehabilitation costs of five seven
17 hundred fifty thousand dollars or less.

18 Sec. 131. EFFECTIVE UPON ENACTMENT. The following
19 provision or provisions of this division of this Act,
20 being deemed of immediate importance, take effect upon
21 enactment:

22 1. The section amending section 404A.3.

23 Sec. 132. APPLICABILITY. The following provision
24 or provisions of this division of this Act apply to
25 eligible property to be placed in service on or after
26 the effective date of this division of this Act:

27 1. The section amending section 404A.3.

28 DIVISION XVII

29 INCOME TAXES

30 Sec. 133. Section 422.5, subsection 1, paragraph j,
31 subparagraph (2), subparagraph division (a), Code 2013,
32 is amended to read as follows:

33 (a) The tax imposed upon the taxable income of
34 a resident shareholder in an S corporation or of
35 an estate or trust with a situs in Iowa that is a
36 shareholder in an S corporation, which S corporation
37 has in effect for the tax year an election under
38 subchapter S of the Internal Revenue Code and carries
39 on business within and without the state, may be
40 computed by reducing the amount determined pursuant
41 to paragraphs "a" through "i" by the amounts of
42 nonrefundable credits under this division and by
43 multiplying this resulting amount by a fraction of
44 which the resident's or estate's or trust's net income
45 allocated to Iowa, as determined in section 422.8,
46 subsection 2, paragraph "b", is the numerator and the
47 resident's or estate's or trust's total net income
48 computed under section 422.7 is the denominator. If
49 a resident shareholder, or an estate or trust with
50 a situs in Iowa that is a shareholder, has elected

1 to take advantage of this subparagraph (2), and for
2 the next tax year elects not to take advantage of
3 this subparagraph, the resident or estate or trust
4 shareholder shall not reelect to take advantage of
5 this subparagraph for the three tax years immediately
6 following the first tax year for which the shareholder
7 elected not to take advantage of this subparagraph,
8 unless the director consents to the reelection. This
9 subparagraph also applies to individuals who are
10 residents of Iowa for less than the entire tax year.

11 Sec. 134. Section 422.8, subsection 2, paragraph b,
12 unnumbered paragraph 1, Code 2013, is amended to read
13 as follows:

14 A resident's income, or the income of an estate
15 or trust with a situs in Iowa, allocable to Iowa is
16 the income determined under section 422.7 reduced by
17 items of income and expenses from an S corporation that
18 carries on business within and without the state when
19 those items of income and expenses pass directly to the
20 shareholders under provisions of the Internal Revenue
21 Code. These items of income and expenses are increased
22 by the greater of the following:

23 Sec. 135. Section 422.15, subsection 2, Code 2013,
24 is amended to read as follows:

25 2. Every partnership, including limited
26 ~~partnerships organized under chapter 488, having a~~
27 ~~place of business in the state, doing business in this~~
28 ~~state, or deriving income from sources within this~~
29 ~~state as defined in section 422.33, subsection 1,~~ shall
30 make a return, stating specifically the net income
31 and capital gains (or losses) reported on the federal
32 partnership return, the names and addresses of the
33 partners, and their respective shares in said amounts.

34 Sec. 136. EFFECTIVE UPON ENACTMENT. This division
35 of this Act, being deemed of immediate importance,
36 takes effect upon enactment.

37 Sec. 137. RETROACTIVE APPLICABILITY. The following
38 provision or provisions of this division of this Act
39 apply retroactively to January 1, 2013, for tax years
40 beginning on or after that date:

- 41 1. The section amending section 422.5.
- 42 2. The section amending section 422.8.
- 43 3. The section amending section 422.15.

44 DIVISION XVIII

45 SALES AND USE TAXES

46 Sec. 138. Section 423.1, subsection 5, Code 2013,
47 is amended to read as follows:

48 5. "*Agricultural production*" includes the production
49 of flowering, ornamental, or vegetable plants in
50 commercial greenhouses or otherwise, and production

1 from aquaculture, and production from silvicultural
2 activities. "Agricultural products" includes
3 flowering, ornamental, or vegetable plants and those
4 products of aquaculture and silviculture.
5 Sec. 139. Section 423.2, subsection 6, paragraph a,
6 Code 2013, is amended to read as follows:
7 a. The sales price of any of the following
8 enumerated services is subject to the tax imposed
9 by subsection 5: alteration and garment repair;
10 armored car; vehicle repair; battery, tire, and
11 allied; investment counseling; service charges of
12 all financial institutions; barber and beauty; boat
13 repair; vehicle wash and wax; campgrounds; carpentry;
14 roof, shingle, and glass repair; dance schools
15 and dance studios; dating services; dry cleaning,
16 pressing, dyeing, and laundering; electrical and
17 electronic repair and installation; excavating and
18 grading; farm implement repair of all kinds; flying
19 service; furniture, rug, carpet, and upholstery
20 repair and cleaning; fur storage and repair; golf and
21 country clubs and all commercial recreation; gun and
22 camera repair; house and building moving; household
23 appliance, television, and radio repair; janitorial and
24 building maintenance or cleaning; jewelry and watch
25 repair; lawn care, landscaping, and tree trimming
26 and removal; limousine service, including driver;
27 machine operator; machine repair of all kinds; motor
28 repair; motorcycle, scooter, and bicycle repair;
29 oilers and lubricators; office and business machine
30 repair; painting, papering, and interior decorating;
31 parking facilities; pay television; pet grooming; pipe
32 fitting and plumbing; wood preparation; executive
33 search agencies; private employment agencies, excluding
34 services for placing a person in employment where the
35 principal place of employment of that person is to be
36 located outside of the state; reflexology; security
37 and detective services, excluding private security
38 and detective services furnished by a peace officer
39 with the knowledge and consent of the chief executive
40 officer of the peace officer's law enforcement
41 agency; sewage services for nonresidential commercial
42 operations; sewing and stitching; shoe repair and
43 shoeshine; sign construction and installation;
44 storage of household goods, mini-storage, and
45 warehousing of raw agricultural products; swimming
46 pool cleaning and maintenance; tanning beds or salons;
47 taxidermy services; telephone answering service; test
48 laboratories, including mobile testing laboratories and
49 field testing by testing laboratories, and excluding
50 tests on humans or animals; termite, bug, roach,

1 and pest eradicators; tin and sheet metal repair;
2 transportation service consisting of the rental of
3 recreational vehicles or recreational boats, or the
4 rental of motor vehicles subject to registration which
5 are registered for a gross weight of thirteen tons
6 or less for a period of sixty days or less, or the
7 rental of aircraft for a period of sixty days or less;
8 Turkish baths, massage, and reducing salons, excluding
9 services provided by massage therapists licensed
10 under chapter 152C; water conditioning and softening;
11 weighing; welding; well drilling; wrapping, packing,
12 and packaging of merchandise other than processed meat,
13 fish, fowl, and vegetables; wrecking service; wrecker
14 and towing.

15 Sec. 140. Section 423.3, subsection 47, paragraph
16 d, subparagraph (4), Code 2013, is amended to read as
17 follows:

18 (4) "Manufacturer" means as defined in section
19 428.20 a person who purchases, receives, or holds
20 personal property of any description for the purpose
21 of adding to its value by a process of manufacturing,
22 refining, purifying, combining of different materials,
23 or by the packing of meats, with a view to selling
24 the property for gain or profit, but also includes
25 contract manufacturers. A contract manufacturer is a
26 manufacturer that otherwise falls within the definition
27 of manufacturer under section 428.20, except that
28 a contract manufacturer does not sell the tangible
29 personal property the contract manufacturer processes
30 on behalf of other manufacturers. A business engaged
31 in activities subsequent to the extractive process of
32 quarrying or mining, such as crushing, washing, sizing,
33 or blending of aggregate materials, is a manufacturer
34 with respect to these activities. This subparagraph
35 (4) shall not be construed to require that a person
36 be primarily engaged in an activity listed in this
37 subparagraph in order to qualify as a manufacturer for
38 purposes of this subsection.

39 Sec. 141. Section 423.3, Code 2013, is amended by
40 adding the following new subsection:

41 NEW SUBSECTION. 99. The sales price from services
42 furnished by forestry consultants and forestry vendors
43 engaged in forestry practices on private or public
44 land.

45 DIVISION XIX

46 IOWA FUND OF FUNDS

47 Sec. 142. Section 15E.62, Code 2013, is amended by
48 adding the following new subsections:

49 NEW SUBSECTION. 03. "Creditor" means a person,
50 including an assignee of or successor to such person,

1 who extends credit or makes a loan to the Iowa fund of
2 funds or to a designated investor, and includes any
3 person who refinances such credit or loan.

4 NEW SUBSECTION. 04. "Fund documents" means all
5 agreements relating to matters under the purview of
6 this division VII entered into prior to the effective
7 date of this division of this Act between or among
8 the state, the Iowa fund of funds, a fund allocation
9 manager or similar manager, the Iowa capital investment
10 corporation, the board, a creditor, a designated
11 investor, and a private seed or venture capital
12 partnership, and includes other documents having the
13 same force and effect between or among such parties,
14 as any of the foregoing may be amended, modified,
15 restated, or replaced from time to time.

16 Sec. 143. Section 15E.65, subsection 2, paragraph
17 h, Code 2013, is amended to read as follows:

18 ~~h. Fifty years after the organization of the~~
19 ~~Iowa fund of funds~~ As soon as practicable after the
20 effective date of this division of this Act, the
21 Iowa capital investment corporation, in conjunction
22 with the department of revenue, the board, and the
23 attorney general, shall wind up the Iowa fund of
24 funds pursuant to section 15E.72 and shall cause the
25 Iowa fund of funds to be liquidated with all of its
26 assets distributed to its owners in accordance with
27 the provisions of its organizational documents and in
28 accordance with the fund documents. In liquidating
29 such assets, the capital investment corporation, the
30 department of revenue, the board, and the attorney
31 general shall act with prudence and caution in order
32 to minimize costs and fees and to preserve investment
33 assets to the extent reasonably possible.

34 Sec. 144. NEW SECTION. 15E.72 Program wind-up and
35 future repeal.

36 1. *Organization of additional funds prohibited.*
37 Notwithstanding section 15E.65, an Iowa fund of funds
38 shall not be organized on or after the effective date
39 of this division of this Act.

40 2. *New investments by the fund of funds*
41 *prohibited.* Notwithstanding section 15E.65, the Iowa
42 fund of funds shall not make new investments in private
43 seed and venture capital partnerships or entities on or
44 after the effective date of this division of this Act
45 except as required by the fund documents.

46 3. *New investments by designated investors*
47 *prohibited.*

48 a. Except as provided in paragraph "b", and
49 notwithstanding any other provision in this division
50 VII, a designated investor shall not invest in the Iowa

1 fund of funds on or after the effective date of this
2 division of this Act.

3 *b.* Notwithstanding the prohibition in paragraph
4 "a", a designated investor may invest in the Iowa
5 fund of funds on or after the effective date of this
6 division of this Act to the extent such investment
7 is required by the fund documents. In addition, the
8 director of revenue, with the approval of the attorney
9 general, may authorize additional investment in the
10 Iowa fund of funds but only if such an investment is
11 necessary to preserve fund assets, repay creditors, pay
12 taxes, or otherwise effectuate an orderly wind-up of
13 the program pursuant to this section.

14 4. *Issuance, verification, and redemption of new*
15 *certificates prohibited.*

16 *a.* Except as provided in paragraph "b", and
17 notwithstanding any other provision in this division
18 VII, the board shall not issue, verify, or redeem a
19 certificate or a related tax credit on or after the
20 effective date of this division of this Act.

21 *b.* Notwithstanding the prohibition in paragraph
22 "a", the board may issue, redeem, or verify a
23 certificate or a related tax credit under any of the
24 following conditions:

25 (1) The board is required to do so under the terms
26 of the fund documents.

27 (2) The issuance, redemption, or verification is
28 deemed necessary by the director of revenue and the
29 attorney general in order to arrange new financing
30 terms with a creditor.

31 (3) The issuance, redemption, or verification
32 is deemed necessary by the director of revenue and
33 the attorney general to preserve fund assets, repay
34 creditors, or otherwise effectuate an orderly wind-up
35 of the program pursuant to this section.

36 5. *New fund allocation managers prohibited.*

37 *a.* Notwithstanding any other provision in this
38 division VII, the Iowa capital investment corporation
39 shall not have authority to solicit, select, terminate,
40 or change a fund allocation manager or similar manager
41 on or after the effective date of this division of this
42 Act.

43 *b.* On or after the effective date of this division
44 of this Act, all decisions pertaining to relationships
45 with a fund allocation manager or similar manager
46 selected prior to the effective date of this division
47 of this Act shall be made by the director of revenue
48 with the approval of the attorney general. This
49 subsection shall not be construed to impair the terms
50 of the fund documents.

1 6. *Pledging of certificates prohibited.*

2 a. Except as provided in paragraph "b", and
3 notwithstanding any other provision of law to the
4 contrary, a certificate and a related tax credit or
5 verified tax credit issued by the board shall not be
6 pledged by a designated investor as security for a loan
7 or an extension of credit on or after the effective
8 date of this division of this Act.

9 b. Notwithstanding the prohibition in paragraph
10 "a", a certificate and related tax credit or verified
11 tax credit issued by the board may be pledged by
12 a designated investor as security for a loan or an
13 extension of credit to the extent such pledge is
14 required by the fund documents. In addition, the
15 board, with the approval of the director of revenue
16 and the attorney general, may authorize a certificate
17 and related tax credit to be pledged as security for
18 a loan or an extension of credit, but only if such a
19 pledge is necessary to arrange new financing terms with
20 a creditor or to repay creditors for moneys loaned or
21 credit extended to a designated investor.

22 7. *Rural and small business loan guarantees*

23 *prohibited.* Notwithstanding any other provision in
24 this division VII to the contrary, the Iowa capital
25 investment corporation shall not make rural and small
26 business loan guarantees or otherwise administer a
27 program to provide loan guarantees and other related
28 credit enhancements on loans to rural and small
29 business borrowers within the state of Iowa on or after
30 the effective date of this division of this Act.

31 8. *Iowa capital investment corporation purposes*

32 *amended.* Notwithstanding section 15E.64, on or after
33 the effective date of this division of this Act, the
34 purposes of the Iowa capital investment corporation
35 shall be to comply with its obligations under the
36 fund documents and to assist the board, the director
37 of revenue, and the attorney general in effectuating
38 the orderly wind-up of the Iowa fund of funds.
39 In effectuating such a wind-up, the Iowa capital
40 investment corporation shall comply with all reasonable
41 requests by the board, the director of revenue, the
42 attorney general, or the auditor of state.

43 9. *Use of revolving fund prohibited.*

44 a. Notwithstanding section 15E.65, subsection 2,
45 paragraph "a", on or after the effective date of this
46 division of this Act, all investment returns received
47 by the Iowa capital investment corporation that are in
48 excess of those payable to designated investors shall
49 be deposited in the general fund of the state.

50 b. This subsection shall not be construed to

1 impair the terms of the fund documents. It is the
2 intent of the general assembly that this subsection
3 only applies in the event that there are investment
4 returns in excess of those necessary to repay creditors
5 and designated investors under the terms of the fund
6 documents.

7 10. *Preservation of existing rights.* This section
8 is not intended to and shall not limit, modify,
9 or otherwise adversely affect the fund documents,
10 including any certificate or related tax credit issued
11 before the effective date of this division of this Act.

12 11. *Future repeal.* This division VII is repealed
13 upon the occurrence of one of the following, whichever
14 is earlier:

15 a. The expiration or termination of all fund
16 documents. The director of revenue shall notify the
17 Iowa Code editor upon the occurrence of this condition.

18 b. December 31, 2027.

19 Sec. 145. EFFECTIVE UPON ENACTMENT. This division
20 of this Act, being deemed of immediate importance,
21 takes effect upon enactment.

22 DIVISION XX

23 STUDY REPORT

24 Sec. 146. ADMINISTRATIVE APPEALS PROCESS FOR
25 TAX MATTERS AND NEW TAX APPEAL BOARD — REPORT. The
26 department of revenue, in consultation with the
27 department of management and other interested
28 stakeholders, shall study the independence,
29 effectiveness, and fairness of the state's current
30 administrative appeals processes for tax matters and
31 shall make recommendations for changes, if necessary,
32 and shall additionally study the desirability,
33 practicality, and feasibility of replacing components
34 of these processes with a new consolidated and
35 independent administrative appeals board for tax
36 matters within the executive branch to resolve disputes
37 between the department of revenue and taxpayers.
38 The department of revenue shall prepare and file a
39 report detailing its findings and recommendations
40 with the chairpersons and ranking members of the ways
41 and means committees of the senate and the house of
42 representatives and with the legislative services
43 agency by January 8, 2014. This section of this Act
44 shall not be construed to provide the department of
45 revenue with the power or authority to eliminate or in
46 any way modify the property assessment appeals board
47 created pursuant to section 421.1A.

48 DIVISION XXI

49 SECURE AN ADVANCED VISION FOR EDUCATION FUND

50 Sec. 147. Section 423F.2, subsection 1, paragraph

1 b, Code 2013, is amended to read as follows:

2 b. The increase in the state sales, services, and
3 use taxes under chapter 423, subchapters II and III,
4 from five percent to six percent shall replace the
5 repeal of the county's local sales and services tax for
6 school infrastructure purposes. The distribution of
7 moneys in the secure an advanced vision for education
8 fund and the use of the moneys for infrastructure
9 purposes or property tax relief shall be as provided
10 in this chapter. ~~However, the formula for the~~
11 ~~distribution of the moneys in the fund shall be based~~
12 ~~upon amounts that would have been received if the local~~
13 ~~sales and services taxes under former chapter 423E,~~
14 ~~Code and Code Supplement 2007, continued in existence.~~

15 Sec. 148. Section 423F.2, subsection 3, Code 2013,
16 is amended to read as follows:

17 3. The moneys available in a fiscal year in the
18 secure an advanced vision for education fund shall be
19 distributed by the department of revenue to each school
20 district ~~in an amount equal to the amount the school~~
21 ~~district would have received pursuant to the formula~~
22 ~~in section 423E.4 as if the local sales and services~~
23 ~~tax for school infrastructure purposes was imposed on a~~
24 per pupil basis calculated using each school district's
25 budget enrollment, as defined in section 257.6, for
26 that fiscal year. Moneys in a fiscal year that are in
27 excess of that needed to provide each school district
28 with its formula amount Prior to distribution of moneys
29 in the secure an advanced vision for education fund to
30 school districts, two and one-tenths percent of the
31 moneys available in a fiscal year shall be distributed
32 and credited to the property tax equity and relief fund
33 created in section 257.16A.

34 Sec. 149. APPLICABILITY. This division of this
35 Act applies to fiscal years beginning on or after July
36 1, 2014.

37 DIVISION XXII

38 SCHOOL EMPLOYEES — BACKGROUND INVESTIGATIONS

39 Sec. 150. NEW SECTION. 279.69 School employees —
40 background investigations.

41 1. Prior to hiring an applicant for a school
42 employee position, a school district shall have access
43 to and shall review the information in the Iowa court
44 information system available to the general public,
45 the sex offender registry information under section
46 692A.121 available to the general public, the central
47 registry for child abuse information established under
48 section 235A.14, and the central registry for dependent
49 adult abuse information established under section
50 235B.5 for information regarding the applicant. A

1 school district shall follow the same procedure by June
2 30, 2014, for each school employee employed by the
3 school district as of July 1, 2013. A school district
4 shall also follow the same procedure every five years
5 upon the anniversary of each school employee's year of
6 hire. A school district shall not charge an employee
7 for the cost of the registry checks conducted pursuant
8 to this subsection. A school district shall maintain
9 documentation demonstrating compliance with this
10 subsection.

11 2. Being listed in the sex offender registry
12 established under chapter 692A, the central registry
13 for child abuse information established under section
14 235A.14, or the central registry for dependent adult
15 abuse information established under section 235B.5
16 shall constitute grounds for the immediate suspension
17 from duties of a school employee, pending a termination
18 hearing by the board of directors of a school district.
19 A termination hearing conducted pursuant to this
20 subsection shall be limited to the question of whether
21 the school employee was incorrectly listed in the
22 registry.

23 3. For purposes of this section, "*school employee*"
24 means an individual employed by a school district,
25 including a part-time, substitute, or contract
26 employee. "*School employee*" does not include an
27 individual subject to a background investigation
28 pursuant to section 272.2, subsection 17, section
29 279.13, subsection 1, paragraph "b", or section
30 321.375, subsection 2.

31 Sec. 151. STATE MANDATE FUNDING SPECIFIED. In
32 accordance with section 25B.2, subsection 3, the state
33 cost of requiring compliance with any state mandate
34 included in this division of this Act shall be paid
35 by a school district from state school foundation
36 aid received by the school district under section
37 257.16. This specification of the payment of the
38 state cost shall be deemed to meet all of the state
39 funding-related requirements of section 25B.2,
40 subsection 3, and no additional state funding shall be
41 necessary for the full implementation of this division
42 of this Act by and enforcement of this division of this
43 Act against all affected school districts.

44 DIVISION XXIII

45 FOOD BANKS

46 SUBCHAPTER I

47 GENERAL

48 Sec. 152. NEW SECTION. 190B.101 Purpose.

49 The purpose of this chapter is to effectively
50 and efficiently utilize Iowa's abundant supplies of

1 nutritional food to relieve situations of emergency
2 or distress experienced by individuals or families in
3 need who reside in this state, including low-income
4 individuals or families and unemployed individuals or
5 families.

6 Sec. 153. NEW SECTION. 190B.102 Definitions.

7 As used in this chapter, unless the context
8 otherwise requires:

9 1. *"Federal emergency food assistance program"* means
10 the federal emergency food assistance program, as
11 provided in 7 C.F.R. pts. 250 and 251.

12 2. *"Food"* means a substance which is used in whole
13 or in part for human consumption in compliance with
14 federal and state standards or requirements including a
15 donated food that meets the requirements of the federal
16 emergency food assistance program.

17 3. *"Food commodity"* means any commodity that is
18 derived from an agricultural animal or crop, both
19 as defined in section 717A.1, that is produced on
20 agricultural land as defined in section 425A.2, and
21 that is intended to be used as food in its raw or
22 processed state.

23 4. *"Iowa emergency feeding organization"* means a
24 public or private nonprofit organization whose mission
25 is compatible with the purpose of this chapter as
26 provided in section 190B.101 and which includes an
27 Iowa food bank or other organization that operates
28 at a congregate nutritional site or that provides
29 home-delivered meals in this state. An Iowa emergency
30 feeding organization includes but is not limited to a
31 food pantry, hunger relief center, or soup kitchen.

32 5. *"Iowa food bank"* means a private nonprofit
33 organization which meets all of the following
34 requirements:

35 a. It receives, holds, and directly or indirectly
36 distributes food principally to Iowa emergency feeding
37 organizations in a manner compatible with the purpose
38 of this chapter as provided in section 190B.101.

39 b. It is an organization described in section
40 501(c)(3) of the Internal Revenue Code and exempt from
41 taxation under section 501(a) of the Internal Revenue
42 Code.

43 c. It receives contributions that are deductible
44 under section 170 of the Internal Revenue Code.

45 6. *"Iowa food bank association"* or *"association"*
46 means an organization that meets all of the following
47 requirements:

48 a. It is organized as a nonprofit corporation under
49 chapter 504.

50 b. Its principal office is or has been located in

1 this state.

2 c. It is an organization described in section
3 501(c)(3) of the Internal Revenue Code and exempt from
4 taxation under section 501(a) of the Internal Revenue
5 Code.

6 d. It receives contributions that are deductible
7 under section 170 of the Internal Revenue Code.

8 e. Its members include Iowa food banks, or
9 affiliations of Iowa food banks, that together serve
10 all counties in this state.

11 SUBCHAPTER II

12 IOWA FOOD-LINK TO FOOD-BANK INITIATIVE

13 Sec. 154. NEW SECTION. 190B.201 Definition.

14 As used in this subchapter, "department" means the
15 department of human services.

16 Sec. 155. NEW SECTION. 190B.202 Department of
17 human services — cooperation with other agencies.

18 1. This subchapter shall be administered by the
19 department of human services.

20 2. The department shall adopt all rules necessary
21 to administer this subchapter.

22 3. Each fiscal year, the department shall award
23 the amount appropriated in section 190B.203, to an
24 Iowa food bank association selected by the department
25 to manage programs associated with an Iowa food-link
26 to food-bank initiative. The moneys appropriated in
27 section 190B.203 shall be allocated on a matching basis
28 as provided in that section. The department shall
29 execute a contract with the association to provide for
30 the terms and conditions of the program's management.
31 A contract shall not obligate the state to pay moneys
32 for multiple fiscal years.

33 4. The department of agriculture and land
34 stewardship, the department of public health, and the
35 department of inspections and appeals shall cooperate
36 with the department of human services to administer the
37 Iowa food-link to food-bank initiative.

38 Sec. 156. NEW SECTION. 190B.203 Iowa food-link to
39 food-bank initiative — appropriation.

40 1. For the fiscal year beginning July 1, 2013,
41 and ending June 30, 2014, and for each subsequent
42 fiscal year, there is appropriated from the general
43 fund of the state to the department of human services
44 the amount of two million dollars to support an Iowa
45 food-link to food-bank initiative to further the
46 purpose provided in section 190B.101.

47 2. The department of human services shall allocate
48 the amount appropriated in subsection 1 to an Iowa food
49 bank association selected by the department as provided
50 in section 190B.202 for purposes of supporting the

1 following programs:

2 a. An Iowa emergency food purchase program. The
3 department shall allocate up to one million seven
4 hundred thousand dollars to the association for the
5 purchase of food on behalf of an Iowa emergency feeding
6 organization or for the distribution of moneys to Iowa
7 emergency feeding organizations for the purchase of
8 food.

9 (1) A preference shall be provided to the purchase
10 of food produced, processed, or packaged within this
11 state whenever reasonably practicable.

12 (2) The food shall be purchased in a manner that
13 best furthers a significant economic benefit to
14 communities of this state.

15 b. An Iowa emergency food nutritional education
16 program. The department shall allocate up to one
17 hundred thousand dollars to the association to
18 distribute the moneys to one or more Iowa emergency
19 feeding organizations in order to provide instruction
20 regarding nutrition and promote a lifelong healthy
21 diet.

22 c. A transportation and storage program. The
23 department shall allocate up to two hundred thousand
24 dollars to the association for the limited purposes of
25 paying costs directly associated with transporting or
26 storing donated food associated with the Iowa food-link
27 to food-bank initiative as provided in this subchapter.

28 3. The moneys appropriated in subsection 1 shall
29 be allocated as provided in subsection 2 only to the
30 extent that the allocated moneys are matched on a
31 dollar-for-dollar basis with moneys contributed by one
32 or more sources, including but not limited to an Iowa
33 food bank, but not including the state. The department
34 shall establish procedures or other requirements for
35 making and tracking matching contributions.

36 SUBCHAPTER III

37 FROM FARM TO FOOD DONATION TAX CREDIT

38 Sec. 157. NEW SECTION. 190B.301 Definitions.

39 As used in this subchapter, unless the context
40 otherwise requires:

41 1. "*Department*" means the department of revenue.

42 2. "*Tax credit*" means the from farm to food
43 donation tax credit as established in this subchapter.

44 Sec. 158. NEW SECTION. 190B.302 Department of
45 revenue — cooperation with other departments.

46 1. This subchapter shall be administered by the
47 department of revenue.

48 2. The department shall adopt all rules necessary
49 to administer this subchapter.

50 3. The department of agriculture and land

1 stewardship, the department of public health, the
2 department of human services, and the department
3 of inspections and appeals shall cooperate with the
4 department of revenue to administer this subchapter.

5 Sec. 159. NEW SECTION. 190B.303 From farm to food
6 donation tax credit.

7 A from farm to food donation tax credit is allowed
8 against the taxes imposed in chapter 422, divisions II
9 and III, as provided in this subchapter.

10 Sec. 160. NEW SECTION. 190B.304 From farm to food
11 donation tax credit — eligibility.

12 In order to qualify for a from farm to food donation
13 tax credit, all of the following must apply:

14 1. The taxpayer must produce the donated food
15 commodity.

16 2. The taxpayer must transfer title to the
17 donated food commodity to an Iowa food bank, or an
18 Iowa emergency feeding organization, recognized
19 by the department. The taxpayer shall not receive
20 remuneration for the transfer.

21 3. The donated food commodity cannot be damaged
22 or out-of-condition and declared to be unfit for
23 human consumption by a federal, state, or local health
24 official. A food commodity that meets the requirements
25 for donated foods pursuant to the federal emergency
26 food assistance program satisfies this requirement.

27 4. A taxpayer claiming the tax credit shall provide
28 documentation supporting the tax credit claim in a form
29 and manner prescribed by the department by rule.

30 Sec. 161. NEW SECTION. 190B.305 From farm to food
31 donation tax credit — claims filed by individuals who
32 belong to business entities.

33 An individual may claim a from farm to food donation
34 tax credit of a partnership, limited liability company,
35 S corporation, estate, or trust electing to have
36 income taxed directly to the individual. The amount
37 claimed by the individual shall be based upon the
38 pro rata share of the individual's earnings from the
39 partnership, limited liability company, S corporation,
40 estate, or trust.

41 Sec. 162. NEW SECTION. 190B.306 From farm to food
42 donation tax credit — limits on claims.

43 A from farm to food donation tax credit is subject
44 to all of the following limitations:

45 1. The tax credit shall not exceed a qualifying
46 amount for the tax year that the tax credit is claimed.
47 The qualifying amount is the lesser of the following:

48 a. Fifteen percent of the value of the commodities
49 donated during the tax year for which the credit
50 is claimed. The value of the commodities shall

1 be determined in the same manner as a charitable
2 contribution of food for federal tax purposes under
3 section 170(e)(3)(C) of the Internal Revenue Code.

4 b. Five thousand dollars.

5 2. A tax credit in excess of the taxpayer's
6 liability for the tax year is not refundable but may be
7 credited to the tax liability for the following five
8 years or until depleted, whichever is earlier.

9 3. If a tax credit is allowed, the amount of the
10 contribution for which the tax credit is claimed shall
11 not be deductible in determining taxable income for
12 state tax purposes.

13 4. A tax credit shall not be carried back to a tax
14 year prior to the tax year in which the taxpayer claims
15 the tax credit.

16 Sec. 163. NEW SECTION. 422.11E From farm to food
17 donation tax credit.

18 The taxes imposed under this division, less the
19 credits allowed under section 422.12, shall be reduced
20 by a from farm to food donation tax credit as allowed
21 under chapter 190B, subchapter III.

22 Sec. 164. Section 422.33, Code 2013, is amended by
23 adding the following new subsection:

24 NEW SUBSECTION. 30. The taxes imposed under this
25 division shall be reduced by a from farm to food
26 donation tax credit as allowed under chapter 190B,
27 subchapter III.

28 Sec. 165. APPLICABILITY. The provisions of this
29 division of this Act providing for a from farm to food
30 donation tax credit applies to tax years beginning on
31 or after January 1, 2014.

32 DIVISION XXIV

33 NATIONAL SPORTING EVENT

34 Sec. 166. NATIONAL SPORTING EVENT — MARKETING —
35 INFRASTRUCTURE — APPROPRIATION.

36 1. There is appropriated from the general fund of
37 the state to the economic development authority for the
38 fiscal year beginning July 1, 2012, and ending June 30,
39 2013, the following amount, or so much thereof as is
40 necessary, to be used for the purposes designated:

41 For distribution to an automobile racetrack facility
42 as defined in section 423.4, subsection 5, Code
43 2013, for the development and promotion of a national
44 sporting event at the facility:

45 \$ 8,000,000

46 2. The moneys appropriated in subsection 1 shall
47 be used for marketing and infrastructure purposes.
48 Moneys used for marketing purposes shall not be used
49 for salaries.

50 3. The authority shall distribute the moneys in the

1 following manner:
2 a. Two million dollars in the fiscal year beginning
3 July 1, 2013.
4 b. Two million dollars in the fiscal year beginning
5 July 1, 2014.
6 c. Two million dollars in the fiscal year beginning
7 July 1, 2015.
8 d. Two million dollars in the fiscal year beginning
9 July 1, 2016.
10 4. By September 1 of each year beginning September
11 1, 2014, and ending September 1, 2017, a recipient of
12 moneys distributed pursuant to this section shall file
13 a report with the authority providing specific detail
14 regarding the expenditure of such moneys during the
15 previous fiscal year.
16 5. Notwithstanding section 8.33, moneys
17 appropriated in this section that remain unencumbered
18 or unobligated shall not revert but shall remain
19 available for expenditure for the designated purposes
20 until July 1, 2017.
21 Sec. 167. EFFECTIVE UPON ENACTMENT. This division
22 of this Act, being deemed of immediate importance,
23 takes effect upon enactment.

24 DIVISION XXV

25 CITY FRANCHISE FEES

26 Sec. 168. Section 364.2, subsection 4, paragraph
27 f, subparagraph (1), Code 2013, is amended to read as
28 follows:

29 (1) (a) A franchise fee assessed by a city may be
30 based upon a percentage of gross revenues generated
31 from sales of the franchisee within the city not to
32 exceed five percent, except as provided in subparagraph
33 division (b), without regard to the city's cost of
34 inspecting, supervising, and otherwise regulating the
35 franchise.

36 (b) For franchise fees assessed and collected
37 during fiscal years beginning on or after July 1,
38 2013, but before July 1, 2030, by a city that is the
39 subject of a judgment, court-approved settlement, or
40 court-approved compromise providing for payment of
41 restitution, a refund, or a return described in section
42 384.3A, subsection 3, paragraph "j", the rate of
43 the franchise fee shall not exceed seven and one-half
44 percent of gross revenues generated from sales of the
45 franchisee in the city, and franchise fee amounts
46 assessed and collected during such fiscal years in
47 excess of five percent of gross revenues generated from
48 sales shall be used solely for the purpose specified
49 in section 384.3A, subsection 3, paragraph "j". A city
50 may by an ordinance amending its franchise ordinance

1 assess and collect a franchise fee in excess of five
2 percent of gross revenues generated from the sales of
3 the franchisee pursuant to this subparagraph division
4 (b) for a single period not to exceed seven consecutive
5 fiscal years once the franchise fee is first imposed
6 at a rate in excess of five percent. Before adopting
7 an ordinance increasing the franchise fee rate to
8 greater than five percent pursuant to this subparagraph
9 division (b), the city council shall cause a notice of
10 the proposal to adopt such ordinance to be published
11 at least once in a newspaper of general circulation
12 within the city at least ten days prior to the meeting
13 at which the city council is proposed to take action
14 to adopt the ordinance to increase the franchise fee
15 rate to greater than five percent. If at any time
16 before the date fixed for taking action to adopt the
17 ordinance a petition is filed with the city clerk
18 signed by eligible electors of the city equal in number
19 to five percent of those who voted for the office of
20 governor at the preceding general election, asking that
21 the question of approving such ordinance be submitted
22 to the voters of the city, the city council shall
23 either by resolution declare the proposal to adopt
24 the ordinance to have been abandoned or shall call a
25 special election to vote upon the question of approving
26 the ordinance. If a majority of those voting on the
27 proposal approves the proposal, the city may proceed as
28 proposed. In the event of such an election, the full
29 text of the ordinance shall be printed on the ballot
30 and the full text of the ordinance shall be posted for
31 the voters pursuant to section 52.25. All absentee
32 voters shall receive the full text of the ordinance
33 along with the absentee ballot. This subparagraph
34 division (b) is repealed July 1, 2030.

35 (02) Franchise fees collected pursuant to an
36 ordinance in effect on May 26, 2009, shall be deposited
37 in the city's general fund and such fees collected in
38 excess of the amounts necessary to inspect, supervise,
39 and otherwise regulate the franchise may be used by
40 the city for any other purpose authorized by law.
41 Franchise fees collected pursuant to an ordinance
42 that is adopted or amended on or after May 26, 2009,
43 to increase the percentage rate at which franchise
44 fees are assessed shall be credited to the franchise
45 fee account within the city's general fund and used
46 pursuant to section 384.3A. If a city franchise fee
47 is assessed to customers of a franchise, the fee shall
48 not be assessed to the city as a customer. Before a
49 city adopts or amends a franchise fee rate ordinance
50 or franchise ordinance to increase the percentage

1 rate at which franchise fees are assessed, a revenue
2 purpose statement shall be prepared specifying the
3 purpose or purposes for which the revenue collected
4 from the increased rate will be expended. If property
5 tax relief is listed as a purpose, the revenue purpose
6 statement shall also include information regarding the
7 amount of the property tax relief to be provided with
8 revenue collected from the increased rate. The revenue
9 purpose statement shall be published as provided in
10 section 362.3.

11 Sec. 169. Section 384.3A, subsection 3, Code 2013,
12 is amended by adding the following new paragraph:

13 NEW PARAGRAPH. *j.* For franchise fees assessed and
14 collected by a city in excess of five percent of gross
15 revenues generated from sales of the franchisee within
16 the city pursuant to section 364.2, subsection 4,
17 paragraph "f", subparagraph (1), subparagraph division
18 (b), during fiscal years beginning on or after July 1,
19 2013, but before July 1, 2030, the payment adjustment,
20 renewal, or extension of any part or all of the legal
21 indebtedness of a city, whether evidenced by bonds,
22 warrants, court-approved settlements, court-approved
23 compromises, or judgments, or the funding or refunding
24 of the same, if such legal indebtedness relates to
25 restitution, a refund, or a return ordered by a court
26 of competent jurisdiction for franchise fees assessed
27 and collected by the city before the effective date
28 of this division of this Act. This paragraph "j" is
29 repealed July 1, 2030.

30 Sec. 170. EFFECTIVE UPON ENACTMENT. This division
31 of this Act, being deemed of immediate importance,
32 takes effect upon enactment.

33 DIVISION XXVI

34 SALARIES, COMPENSATION, AND RELATED MATTERS

35 Sec. 171. APPOINTED STATE OFFICERS.

36 1. The governor shall establish a salary for
37 appointed nonelected persons in the executive branch
38 of state government holding a position enumerated in
39 and within the salary ranges provided in 2008 Iowa
40 Acts, chapter 1191, section 14, by considering, among
41 other items, the experience of the individual in
42 the position, changes in the duties of the position,
43 the incumbent's performance of assigned duties, and
44 subordinates' salaries. However, the attorney general
45 shall establish the salary for the consumer advocate,
46 the chief justice of the supreme court shall establish
47 the salary for the state court administrator, the
48 ethics and campaign disclosure board shall establish
49 the salary of the executive director, and the Iowa
50 public broadcasting board shall establish the salary of

1 the administrator of the public broadcasting division
2 of the department of education, each within the salary
3 range provided in 2008 Iowa Acts, chapter 1191, section
4 14.

5 2. The governor, in establishing salaries as
6 provided in this section, shall take into consideration
7 other employee benefits which may be provided for an
8 individual including but not limited to housing.

9 3. A person whose salary is established pursuant
10 to this section and who is a full-time, year-round
11 employee of the state shall not receive any other
12 remuneration from the state or from any other source
13 for the performance of that person's duties unless
14 the additional remuneration is first approved by the
15 governor or authorized by law. However, this provision
16 does not exclude the reimbursement for necessary travel
17 and expenses incurred in the performance of duties or
18 fringe benefits normally provided to employees of the
19 state.

20 Sec. 172. COLLECTIVE BARGAINING AGREEMENTS FUNDED
21 — GENERAL FUND.

22 1. There is appropriated from the general fund
23 of the state to the salary adjustment fund for
24 distribution by the department of management to the
25 various state departments, boards, commissions,
26 councils, and agencies, including the state board of
27 regents, for the fiscal year beginning July 1, 2013,
28 and ending June 30, 2014, the amount of \$41,400,000,
29 or so much thereof as may be necessary, to fully fund
30 annual pay adjustments, expense reimbursements, and
31 related benefits implemented pursuant to the collective
32 bargaining agreements and noncontract state employee
33 provisions listed in subsection 2. As a condition of
34 the appropriation in this subsection, all benefits for
35 noncontract state employees shall be consistent with
36 the benefits provided under the collective bargaining
37 agreement that covers the greatest number of state
38 employees.

39 2. a. The collective bargaining agreement
40 negotiated pursuant to chapter 20 for employees in the
41 blue collar bargaining unit.

42 b. The collective bargaining agreement negotiated
43 pursuant to chapter 20 for employees in the public
44 safety bargaining unit.

45 c. The collective bargaining agreement negotiated
46 pursuant to chapter 20 for employees in the security
47 bargaining unit.

48 d. The collective bargaining agreement negotiated
49 pursuant to chapter 20 for employees in the technical
50 bargaining unit.

1 e. The collective bargaining agreement negotiated
2 pursuant to chapter 20 for employees in the
3 professional fiscal and staff bargaining unit.
4 f. The collective bargaining agreement negotiated
5 pursuant to chapter 20 for employees in the clerical
6 bargaining unit.
7 g. The collective bargaining agreement negotiated
8 pursuant to chapter 20 for employees in the
9 professional social services bargaining unit.
10 h. The collective bargaining agreement negotiated
11 pursuant to chapter 20 for employees in the
12 community-based corrections bargaining unit.
13 i. The collective bargaining agreements negotiated
14 pursuant to chapter 20 for employees in the judicial
15 branch of government bargaining units.
16 j. The collective bargaining agreement negotiated
17 pursuant to chapter 20 for employees in the patient
18 care bargaining unit.
19 k. The collective bargaining agreement negotiated
20 pursuant to chapter 20 for employees in the science
21 bargaining unit.
22 l. The collective bargaining agreement negotiated
23 pursuant to chapter 20 for employees in the university
24 of northern Iowa faculty bargaining unit.
25 m. The collective bargaining agreement negotiated
26 pursuant to chapter 20 for employees in the state
27 university of Iowa graduate student bargaining unit.
28 n. The collective bargaining agreement negotiated
29 pursuant to chapter 20 for employees in the state
30 university of Iowa hospital and clinics tertiary health
31 care bargaining unit.
32 o. The annual pay adjustments, related benefits,
33 and expense reimbursements referred to in the sections
34 of this division of this Act addressing noncontract
35 state and state board of regents employees who are not
36 covered by a collective bargaining agreement.
37 Sec. 173. NONCONTRACT STATE EMPLOYEES — GENERAL.
38 1. a. For the fiscal year beginning July 1, 2013,
39 the maximum and minimum salary levels of all pay plans
40 provided for in section 8A.413, subsection 3, as they
41 exist for the fiscal year ending June 30, 2013, shall
42 not increase.
43 b. For the fiscal year beginning July 1, 2013,
44 employees may receive a step increase or the equivalent
45 of a step increase.
46 c. The salary levels for noncontract judicial
47 branch employees shall not increase.
48 2. The pay plans for state employees who are
49 exempt from chapter 8A, subchapter IV, and who are
50 included in the department of administrative services'

1 centralized payroll system shall not be increased and
2 any additional changes in any executive branch pay
3 plans shall be approved by the governor.

4 3. This section does not apply to members of the
5 general assembly, board members, commission members,
6 salaries of persons set by the general assembly
7 pursuant to this division of this Act or set by the
8 governor, or other persons designated in the section of
9 this division of this Act addressing appointed state
10 officers, employees designated under section 8A.412,
11 subsection 5, and employees covered by 11 IAC 53.6(3).

12 4. The pay plans for the bargaining eligible
13 employees of the state shall not be increased and
14 any additional changes in such executive branch pay
15 plans shall be approved by the governor. As used in
16 this section, "bargaining eligible employee" means an
17 employee who is eligible to organize under chapter 20,
18 but has not done so.

19 5. The policies for implementation of this section
20 shall be approved by the governor.

21 Sec. 174. STATE EMPLOYEES — STATE BOARD OF
22 REGENTS. For the fiscal year beginning July 1, 2013,
23 and ending June 30, 2014, funds from the appropriation
24 made from the general fund of the state in the section
25 of this division of this Act providing for funding of
26 collective bargaining agreements shall be allocated
27 to the state board of regents for the purposes
28 of providing increases for state board of regents
29 employees covered by such section of this division
30 of this Act and for state board of regents employees
31 not covered by a collective bargaining agreement as
32 follows:

33 1. For regents merit system employees and merit
34 supervisory employees to fund for the fiscal year
35 increases comparable to those provided for similar
36 contract-covered employees in this division of this
37 Act.

38 2. For faculty members and professional and
39 scientific employees to fund for the fiscal year
40 percentage increases comparable to those provided
41 for contract-covered employees in the university of
42 northern Iowa faculty bargaining unit.

43 Sec. 175. BONUS PAY. For the fiscal year beginning
44 July 1, 2013, and ending June 30, 2014, employees of
45 the executive branch, judicial branch, and legislative
46 branch shall not receive bonus pay unless otherwise
47 authorized by law, required pursuant to a contract
48 of employment entered into before July 1, 2013,
49 or required pursuant to a collective bargaining
50 agreement. This section does not apply to employees

1 of the state board of regents. For purposes of this
2 section, "bonus pay" means any additional remuneration
3 provided an employee in the form of a bonus, including
4 but not limited to a retention bonus, recruitment
5 bonus, exceptional job performance pay, extraordinary
6 job performance pay, exceptional performance pay,
7 extraordinary duty pay, or extraordinary or special
8 duty pay, and any extra benefit not otherwise provided
9 to other similarly situated employees.

10 Sec. 176. APPROPRIATIONS FROM ROAD FUNDS.

11 1. There is appropriated from the road use tax
12 fund to the salary adjustment fund for the fiscal year
13 beginning July 1, 2013, and ending June 30, 2014,
14 the following amount, or so much thereof as may be
15 necessary, to be used for the purpose designated:

16 To supplement other funds appropriated by the
17 general assembly:

18 \$ 565,089

19 2. There is appropriated from the primary road
20 fund to the salary adjustment fund, for the fiscal
21 year beginning July 1, 2013, and ending June 30, 2014,
22 the following amount, or so much thereof as may be
23 necessary, to be used for the purpose designated:

24 To supplement other funds appropriated by the
25 general assembly:

26 \$ 2,818,968

27 3. Except as otherwise provided in this division
28 of this Act, the amounts appropriated in subsections 1
29 and 2 shall be used to fund the annual pay adjustments,
30 expense reimbursements, and related benefits for public
31 employees as provided in this division of this Act.

32 Sec. 177. SPECIAL FUNDS — AUTHORIZATION. To
33 departmental revolving, trust, or special funds, except
34 for the primary road fund or the road use tax fund, for
35 which the general assembly has established an operating
36 budget, a supplemental expenditure authorization is
37 provided, unless otherwise provided, in an amount
38 necessary to fund salary adjustments as otherwise
39 provided in this division of this Act.

40 Sec. 178. GENERAL FUND SALARY MONEYS. Funds
41 appropriated from the general fund of the state for
42 distribution from the salary adjustment fund in the
43 section of this division of this Act providing for
44 funding of collective bargaining agreements and certain
45 noncontract state employee provisions relate only to
46 salaries supported from general fund appropriations of
47 the state. Funds appropriated from the general fund of
48 the state for employees of the state board of regents
49 relate only to salaries supported from general fund
50 appropriations of the state and shall exclude general

1 university indirect costs and general university
2 federal funds.

3 Sec. 179. FEDERAL FUNDS APPROPRIATED. For the
4 fiscal year beginning July 1, 2013, all federal grants
5 to and the federal receipts of the agencies affected by
6 this division of this Act which are received and may be
7 expended for purposes of this division of this Act are
8 appropriated for those purposes and as set forth in the
9 federal grants or receipts.

10 Sec. 180. STATE TROOPER MEAL ALLOWANCE. For the
11 fiscal year beginning July 1, 2013, the sworn peace
12 officers in the department of public safety who are not
13 covered by a collective bargaining agreement negotiated
14 pursuant to chapter 20 shall receive the same per
15 diem meal allowance as the sworn peace officers in
16 the department of public safety who are covered by a
17 collective bargaining agreement negotiated pursuant to
18 chapter 20.

19 Sec. 181. SALARY MODEL ADMINISTRATOR. The salary
20 model administrator shall work in conjunction with
21 the legislative services agency to maintain the
22 state's salary model used for analyzing, comparing,
23 and projecting state employee salary and benefit
24 information, including information relating to
25 employees of the state board of regents. The
26 department of revenue, the department of administrative
27 services, the five institutions under the jurisdiction
28 of the state board of regents, the judicial district
29 departments of correctional services, and the state
30 department of transportation shall provide salary data
31 to the department of management and the legislative
32 services agency to operate the state's salary
33 model. The format and frequency of provision of the
34 salary data shall be determined by the department of
35 management and the legislative services agency. The
36 information shall be used in collective bargaining
37 processes under chapter 20 and in calculating the
38 funding needs contained within the annual salary
39 adjustment legislation. A state employee organization
40 as defined in section 20.3, subsection 4, may request
41 information produced by the model, but the information
42 provided shall not contain information attributable to
43 individual employees.

44 Sec. 182. 2008 Iowa Acts, chapter 1191, section 14,
45 subsection 4, is amended to read as follows:

46 4. The following are range 4 positions: director
47 of the department of human rights, director of the
48 Iowa state civil rights commission, executive director
49 of the college student aid commission, director of
50 the department for the blind, executive director of

1 the ethics and campaign disclosure board, executive
2 director of the Iowa public information board,
3 members of the public employment relations board, and
4 chairperson, vice chairperson, and members of the board
5 of parole.

6 DIVISION XXVII

7 MOTOR VEHICLE REGISTRATION FEE EQUITY

8 Sec. 183. Section 321.55, Code 2013, is amended to
9 read as follows:

10 **321.55 Registration and financial liability coverage**
11 **required for certain vehicles owned or operated by**
12 **nonresidents.**

13 1. A nonresident owner or operator engaged in
14 remunerative employment within ~~the~~ this state or
15 carrying on business within ~~the~~ this state and owning
16 or operating a motor vehicle, trailer, or semitrailer
17 within ~~the~~ this state shall register and maintain
18 financial liability coverage as required under section
19 321.20B for each vehicle and pay the same fees for
20 registration as are paid for like vehicles owned by
21 residents of this state. However, ~~this paragraph~~
22 subsection does not apply to a person commuting from
23 the person's residence in another state or whose
24 employment is seasonal or temporary, not exceeding
25 ninety days.

26 2. a. A nonresident owner of a motor vehicle
27 operated within ~~the~~ this state by a resident of
28 ~~the~~ this state shall register the vehicle and shall
29 maintain financial liability coverage as required
30 under section 321.20B for the vehicle. The nonresident
31 owner shall pay the same fees for registration as are
32 paid for like vehicles owned by residents of this
33 state. However, registration under this paragraph is
34 not required for vehicles being operated by residents
35 temporarily, ~~not exceeding for not more than ninety~~
36 days. For purposes of this paragraph, a vehicle
37 is not operated in the state temporarily, and is
38 therefore subject to registration and the owner is
39 required to pay the applicable fees, if the vehicle
40 is located in Iowa for more than ninety consecutive
41 or nonconsecutive days and is operated on an Iowa
42 highway by an Iowa resident during that time. It is
43 unlawful for a resident to operate within the state an
44 unregistered motor vehicle required to be registered
45 under this paragraph. The ninety-day temporary period
46 of operation provided for under this paragraph does
47 not apply to a vehicle owned by a shell business as
48 provided in paragraph "b".

49 b. On or after July 1, 2013, if the department,
50 in consultation with the department of revenue,

1 determines that the nonresident owner of a vehicle is a
2 partnership, limited liability company, or corporation
3 that is a shell business, it shall be rebuttably
4 presumed that the Iowa resident in control of the
5 vehicle is the actual owner of the vehicle, that the
6 vehicle is subject to registration in this state, and
7 that payment of the fee for new registration for the
8 vehicle is owed by the Iowa resident.

9 (1) Factors which indicate that a partnership,
10 limited liability company, or corporation is a shell
11 business include but are not limited to the following:

12 (a) The partnership, limited liability company,
13 or corporation lacks a specific business activity or
14 purpose.

15 (b) The partnership, limited liability company, or
16 corporation fails to maintain a physical location in
17 the foreign state.

18 (c) The partnership, limited liability company,
19 or corporation fails to employ individual persons and
20 provide those persons with internal revenue service
21 form W-2 wage and tax statements.

22 (d) The partnership, limited liability company, or
23 corporation fails to file federal tax returns, or fails
24 to file a required state tax return in the foreign
25 state.

26 (2) Factors which indicate that a person is in
27 control of a vehicle include but are not limited to the
28 following:

29 (a) The person was the initial purchaser of the
30 vehicle.

31 (b) The person operated or stored the vehicle in
32 Iowa for any period of time.

33 (c) The person is a partner, member, or shareholder
34 of the nonresident partnership, limited liability
35 company, or corporation that purports to be the owner
36 of the vehicle.

37 (d) The person is insured to drive the vehicle.

38 (3) If the department determines that the
39 nonresident owner of a vehicle is a shell business, the
40 department shall notify the Iowa resident in control
41 of the vehicle in writing that the Iowa resident is
42 required to obtain an Iowa certificate of title and
43 registration for the vehicle and pay the fee for new
44 registration owed for the vehicle not later than thirty
45 days from the date of the notice.

46 Sec. 184. Section 321.105A, subsection 7, Code
47 2013, is amended to read as follows:

48 7. *Penalty for false statement or evasion of fee.*

49 a. A person who willfully makes a false statement
50 in regard to the purchase price of a vehicle subject

1 to a fee for new registration or willfully attempts
2 in any manner to evade payment of the fee required by
3 this section is guilty of a fraudulent practice. A
4 person who willfully makes a false statement in regard
5 to the purchase price of such a vehicle with the intent
6 to evade payment of the fee for new registration or
7 willfully attempts in any manner to evade payment of
8 the fee required by this section shall be assessed
9 a penalty of seventy-five percent of the amount of
10 the fee unpaid and required to be paid on the actual
11 purchase price less trade-in allowance.

12 b. An Iowa resident found to be in control of
13 a vehicle which is owned by a shell business and
14 for which the fee for new registration has not been
15 paid, as provided in section 321.55, subsection 2, is
16 guilty of a fraudulent practice. An Iowa resident
17 found to be in control of a vehicle which is owned
18 by a shell business and for which the fee for new
19 registration has not been paid, as provided in section
20 321.55, subsection 2, shall be assessed a penalty of
21 seventy-five percent of the amount of the fee unpaid
22 and required to be paid on the actual purchase price
23 less trade-in allowance.

24 Sec. 185. REPEAL. Section 321.116, Code 2013, is
25 repealed.

26 Sec. 186. APPLICABILITY — PRIOR ELECTRIC VEHICLE
27 REGISTRATIONS.

28 1. Except as provided in subsection 2, the section
29 of this division of this Act that repeals section
30 321.116 applies to the registration of electric motor
31 vehicles for registration years beginning on or after
32 January 1, 2014.

33 2. For an annual renewal of registration for an
34 electric motor vehicle which was registered to the
35 same owner for a registration year beginning prior to
36 January 1, 2014, the annual registration fee shall be
37 according to the terms of section 321.116, Code 2013.

38 DIVISION XXVIII

39 TUITION GRANT AMOUNTS

40 Sec. 187. Section 261.12, subsection 1, paragraph
41 b, Code 2013, is amended by striking the paragraph and
42 inserting in lieu thereof the following:

43 b. For the fiscal year beginning July 1, 2013, and
44 for each following fiscal year, five thousand dollars.>

45 2. By renumbering as necessary.